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ABSTRACT

This manual provides guidelines for the involvement of educators in combating the problem of child abuse and neglect. It is designed to delineate the roles that teachers, school counselors, school nurses, special education professionals, administrators, and other school and day care personnel have in helping maltreated children. It specifically addresses: (1) why educators should be concerned with child abuse and neglect, including a discussion of community, legal, ethical, and personal issues; (2) how to recognize when a child has been maltreated; (3) reporting procedures; (4) what happens once the report is made, discussing what support schools can offer for the child, the parents, and the family; and (5) what prevention strategies can be used, focusing on school-based programs for children and adolescents, school-based programs for families, and school-community programs. Appendices provide an outline of a model child abuse and neglect policy for schools and a corporal punishment fact sheet. The manual also includes a glossary, 25 reference notes, a bibliography of approximately 40 items, and a list of 14 organizations. (JDD)

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The Role of Educators in The Prevention and Treatment of Child Abuse and Neglect

The User Manual Series

EC 301984

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children and Families
Administration on Children, Youth and Families
National Center on Child Abuse and Neglect

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ADDITIONAL ACKNOWLEDGMENT

This manual, originally published in 1979 and 1984 as *The Educator's Role in the Prevention and Treatment of Child Abuse and Neglect*, by Diane D. Broadhurst, has been revised and expanded by Cynthia Crosson Tower.

The Role of Educators in the Protection and Treatment of Child Abuse and Neglect

Cynthia Crosson Tower

1992

U.S. Department of Health and Human Services
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PREFACE

The Child Abuse Prevention and Treatment Act was signed into law in 1974. Since that time, the Federal Government has served as a catalyst to mobilize society's social service, mental health, medical, education, legal, and law enforcement resources to address the challenges in the prevention and treatment of child abuse and neglect. In 1977, in one of its early efforts, the National Center on Child Abuse and Neglect (NCCAN) developed 21 manuals (the *User Manual Series*) designed to provide guidance to professionals involved in the child protection system and to enhance community collaboration and the quality of services provided to children and families. Some manuals described professional roles and responsibilities in the prevention, identification, and treatment of child maltreatment. Other manuals in the series addressed special topics, for example, adolescent abuse and neglect.

Our understanding of the complex problems of child abuse and neglect has increased dramatically since the user manuals were developed. This increased knowledge has improved our ability to intervene effectively in the lives of troubled families. For example, it was not until the early 1980's that sexual abuse became a major focus in child maltreatment research and treatment. Likewise, we have a better grasp of what we can do to prevent child abuse and neglect from occurring. Furthermore, our knowledge of the unique roles key professionals can play in child protection has been defined more clearly, and a great deal has been learned about how to enhance coordination and collaboration of community agencies and professionals. Currently, we are facing new and more serious problems in families who maltreat their children. For example, there is a significant percentage of families known to Child Protective Services (CPS) who are experiencing substance abuse problems; the first reference to drug-exposed infants appeared in the literature in 1985.

Because our knowledge base has increased significantly and the state of the art of practice has improved considerably, NCCAN has updated the *User Manual Series* by revising many of the existing manuals and creating new manuals that address current innovations, concerns, and issues in the prevention and treatment of child maltreatment. The user manuals offer a distillation of the current knowledge base in the field of child maltreatment, but cannot cover all aspects of the topic completely. These manuals should not serve as substitutes for a thorough familiarity with professional standards.

This manual, *The Role of Educators in the Prevention and Treatment of Child Abuse and Neglect*, provides the foundation for the involvement of educators in combating the problem of child abuse and neglect. It may also be used by other professionals involved in child abuse and neglect intervention such as CPS, mental health, legal, health care, and early childhood professionals to gain a better understanding of the role of educators in child protection. Other manuals are available that examine the role of CPS caseworkers, law enforcement officials, health providers, and legal professionals, as well as a basic manual that provides an overview of the problem of child abuse and neglect and the roles of the key professionals in the prevention, identification, and treatment of child maltreatment.

ACKNOWLEDGMENTS

Cynthia Crosson Tower is Professor of Human Services in the Behavioral Science Department at Fitchburg State College in Massachusetts. Dr. Tower has worked as a social worker in the areas of protective services, adoption, foster care, child guidance, and corrections and currently maintains a private practice specializing in adult survivors of child sexual abuse. In addition, she is consultant to several adolescent residential treatment programs in the treatment of juvenile sex offenders. She has had extensive experience in writing and conducting training programs about child abuse and neglect including the development of the National Education Association's curriculum for educators, *Child Abuse and Neglect: NEA Multi-Media Program.* Dr. Tower also has authored *How Schools Can Help Combat Child Abuse and Neglect*, *Understanding Child Abuse and Neglect*, and *Secret Scars: A Guide for Survivors of Child Sexual Abuse*. More recently she has coauthored *Homeless Students* and a soon to be published book on foster care in the United States.

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INTRODUCTION

PURPOSE OF MANUAL

The educator has a vital role in the identification, treatment, and prevention of child abuse and neglect. Yet, until recently most educators had little perspective on just how important their role could be. This manual is designed to delineate for educators the roles that teachers, school counselors, school nurses, special education professionals, administrators, and other school and day care personnel have in helping maltreated children. The manual might also be used as a basic handbook to complement the training of educators in how they can intervene.

The Role of Educators in the Prevention adn Treatment of Child Abuse and Neglect is intended to expand the information provided in *A Coordinated Response to Child Abuse and Neglect: A Basic Manual* in a manner useful to educators. The expanded material will specifically address the following topics:

- why educators should be concerned with child abuse and neglect;
- how to recognize when a child has been maltreated;
- how to report;
  - to whom to report
  - school's policy
  - procedure on a report
- what happens once the report is made; and
- what prevention strategies can be used.

Through the use of this manual, the educator can make a contribution to the increased well-being of children in a variety of ways. Certainly the first area of defense for the educator against the problem of child maltreatment is one of self-education. Each individual who is involved with children has the obligation of knowing how to protect children from harm. The protection of children is not only an individual issue, but a community concern as well. Educators are an integral part of the community and as such can lead the community effort to combat child maltreatment in a variety of ways.

UNDERSTANDING CHILD ABUSE AND NEGLECT

> The black eyes were barely visible peering from the partially darkened locker.
>
> "It's okay, Maria, it's okay, you can come out," murmured the guidance counselor as the teachers and children who gathered around the scene held their breath collectively.
>
> "I didn't do it," the small girl whimpered.
>
> "I know you didn't take the money, no one is going to hurt you," soothed the counselor.
>
> Bursting into tears, the child emerged from the locker and reluctantly allowed herself to be gathered into the concerned woman's arms. "Don't tell my Papa!" the child whispered pleadingly.

Maria's story is not unlike others that educators see every day. A child of an abusive home, Maria has learned to fear most adults and assumes that she will always be blamed for whatever happens. Maria has been taught to expect punishment and finds it difficult to trust.

Maria is not alone. Every day in this country, every minute perhaps, a child suffers from some type of maltreatment. The residual effects of the abuse, neglect, and sexual abuse experienced by children can be seen again and again in our schools.

NATURE OF CHILD ABUSE AND NEGLECT

What is child maltreatment? When does well-intended discipline become abuse? At what age can a child be left alone safely? How we define child abuse and neglect depends on so many variables. Throughout our history, the treatment of children has been viewed differently. As recently as two decades ago administering a strap to ensure obedience was not uncommon. Yet today we would probably call beating a child with a strap abusive. Cultural groups, too, differ in their definition of abuse. For example, the Native American practice of allowing very young children to run freely within the community might be interpreted by others as neglectful. In contrast, cultures that rely greatly on severe corporal punishment to discipline often find themselves criticized by the larger community. Since our country is comprised of so many ethnic groups, religions, and diverse attitudes, it is necessary to agree upon a set of definitions to pinpoint what is meant by maltreatment.

Definitions of abuse and neglect are based upon our basic assumptions about children. It is generally accepted that children are the responsibility of their caretakers. The caretakers must feed, clothe, and protect the children's bodies, minds, and rights as citizens until the children are mature and ready to assume their places in an adult world. These caretakers, usually parents, are in turn given freedom over their charges provided the caretakers continue to meet the expectations of society. Part of this freedom allows parents to discipline and to set standards of moral behavior. The limit to this freedom, however, is set by child abuse and neglect laws.

Most definitions of child abuse and neglect have common elements. Most describe the parents' or caretakers' unacceptable acts or omissions, the intent behind the acts or omissions, and the harmful effect to the child of those acts or omissions. (The acts or omissions that are generally considered abusive or neglectful will be considered in the chapter on recognizing child abuse and neglect. Additionally, educators should consult their own State child abuse and neglect reporting statute.)

The subjective reactions of professionals who come into contact with abused or neglected children are also an important element in defining abuse and neglect because these subjective reactions will affect the way in which the definition is applied and interpreted. The individual's subjectivity is influenced by a number of factors including cultural values, personal values, and professional training.

Because of the difficulty in defining abuse and neglect and because the use of these definitions is, by nature, subjective, great care must be taken in the actual identification of abuse and neglect occurrences. It is crucial for all professionals to remember that there are large gray areas that might be considered abuse or neglect by them today but not by others tomorrow. Families may frequently pass in and out of this gray area, and this movement influences the way the families are labeled and treated.

An example of a definition that brings together many forms of abuse and neglect under one conceptual framework follows. An abused or neglected child is a child whose physical or mental health or welfare is harmed or threatened with harm by the acts or omissions of his/her parent or other person responsible for his/her welfare.

EXTENT OF CHILD MALTREATMENT

The most recent national incidence study reported that over a million children throughout the country had suffered from some form of maltreatment in 1986.[1] Findings further suggest that not all suspected cases were reported. The study projected that of the 1,424,400 children who were known by professionals to have suffered demonstrable harm as a result of maltreatment or whose health or safety was endangered by maltreatment, only 732,300 were actually reported to child protective service (CPS) agencies (the agencies that accept these reports and investigate them).[2] Thus, the cases that come to the attention of the public through services and media comprise a very small number.

National Incidence Study estimates on numbers of children abused, neglected, and sexually abused.

Physical Abuse	Sexual Abuse	Emotional Abuse	Neglect
#	#	#	#
311,500	133,600	188,100	917,200

One way that the magnitude of the child maltreatment problem has been revealed is through the testimonies of survivors of childhood maltreatment. This is especially true in the area of sexual abuse.

In 1978, Russell surveyed 930 San Francisco women and found that 38 percent had experienced some form of unwanted touching prior to age 18.[3] Finkelhor reported that significant percentages of college students surveyed disclosed that they had experienced unwanted sexual encounters prior to the age of 16.[4] These studies as well as more recent ones have suggested the projection that one out of three girls and one out of five boys will be sexually abused or approached prior to the age of 18.[5] It is important to note that these statistics include any form of sexual abuse from exhibitionism, to fondling, to intercourse and the acts may have been committed by *anyone*, including possibly a stranger. The acts reflected in these statistics were not necessarily committed by a caretaker.

The question is frequently asked: Has maltreatment increased? While most experts attribute the increase in projected numbers to greater public awareness and an increase in reporting, it cannot be denied that there are factors in our fast-paced, success-oriented, industrialized society that contribute to the potential for abuse and neglect.

CAUSES OF CHILD ABUSE AND NEGLECT

There are a myriad of variables involved in every case of abuse and neglect. Some variables are in the basic fabric of society while others seem more related to the individual's personality and interpretation of the world.

Sociological Causes

There are specific factors (some so intricately woven into our societal values as to be almost unrecognizable) that can set the stage for abuse and neglect. It should be noted, however, that individuals respond differently to their environment and while one family in the same apparent situation becomes abusive, another will not.

Several societal trends have been cited frequently in an effort to place the blame for abuse.

Economic stresses present pressures with which some families cannot cope. High unemployment, poverty, and high technology (which can replace people with machines) are just a few issues. The increase in the homeless population also leaves children vulnerable to abuse and neglect. Whether homelessness is due to lack of housing or to parental substance abuse, mental illness, or instability, it leaves children spending their lives in shelters, in substandard or overcrowded housing, or on the streets and makes them potential victims of maltreatment.

The **lack of social supports** in our current society contributes to the isolation and stress often associated with abusive and neglectful parents. Our industrialized economy leads to smaller, more mobile family units often detached geographically from families of origin. A high incidence of divorce creates single-parent families and complex child custody arrangements that contribute to the overall pressure of raising children. Isolated from families, parents find little in the way of societal support. With both parents working to support the family, there has been an increased dependence on child care. Adequate child care is often difficult to find in the United States and may be very costly. Another factor is the increase in adolescent pregnancies, which has resulted in a population of very young mothers ill-prepared for the demands of parenting.

The **lack of support for women and children,** many experts feel, reflects a demeaning attitude toward these two segments of society. While we are slowly emerging from the attitude that women and children are chattel, there still exists a prevailing attitude that children are the family's own to raise as they see fit. This may place children in the position of being vulnerable to abuse. Some critics also ask how we can possibly obliterate the high incidence of physical and sexual abuse when our media portrays much violence and explicit sexuality.

Another contributing factor to the incidence of child maltreatment is the problem of **substance abuse**. The National Black Child Development Institute reported that from their sample of children placed in foster care in 1986, 36 percent were taken from substance-abusing parents. A significant number of these children were also maltreated.[6] Since 1986, CPS agencies nationwide have reported an epidemic of drug use among their caseloads, and that is having a major impact on their ability to intervene effectively on behalf of children and families.[7]

Psychological Causes

While societal stresses impact the incidence of abuse, the individual makeup of the abuser, the child, and indeed the entire family can also play a part. Parents may find that low self-esteem, loneliness, low frustration tolerance, or depression contribute to their inability to cope with their children. Poor communication between spouses, blurred generation boundaries, or lack of knowledge about child development hampers couples in their efforts to maintain a stable family and to not abuse.[8]

Some children are at higher risk of abuse than others. For example, there may be a higher likelihood of maltreatment for children who were born prematurely or with a handicap or children who were conceived in a time of parental stress or depression. In addition, the behavior and conditions of some children appear to stimulate abuse at the hands of parents. Gold suggested that children with health problems as infants, severe allergies, severe mood swings, or hyperactivity with learning disabilities and other psychological problems may tax the resources of their parents, perhaps resulting in abuse.[9] (See *A Coordinated Response to Child Abuse and Neglect: A Basic Manual* for a more indepth explanation of causes.)

ABUSIVE, NEGLECTFUL, AND SEXUALLY ABUSIVE FAMILIES

It is difficult to determine the exact cause of child maltreatment. Often the causes lie in a complex combination of circumstances and must be examined on a case-by-case basis. Let us consider several case scenarios.

> Sara and Jed Carter married while they were in college. A talented musician, Jed worked nights and weekends while the couple attempted to continue their educations. But Sara's unplanned pregnancy greatly changed matters.
>
> Sara chose to quit college temporarily when she found that a difficult pregnancy taxed her strength considerably. The child of an alcoholic father, she hated Jed's playing at bars for extra money and resented that he was not home with her. Jed, also from an alcoholic family, assured her that he would never drink.
>
> Sara's labor was long, difficult, and happened during Jed's final exams. Exhausted, he fell asleep at home and missed the baby's birth, a fact that fanned Sara's resentment. Baby Teddy's early months did little to improve the couple's relationship. The long winter months kept Sara and baby inside, and Teddy's insistent colicky cries caused Jed to choose the library or work over his home life. Sara, estranged from her own family and from Jed's by resentment over their early marriage, as well as geographical distance, found their small apartment stifling. She knew no one in the transient neighborhood and could count no one as a real friend. She found herself drinking to calm her nerves.
>
> One night Jed received a message that the local hospital had called. Teddy had been admitted, and CPS staff were questioning his wife on suspicion of physical abuse.

Certainly for the Carters, isolation, family estrangement, and the stresses of unplanned parenthood were contributors to their deteriorating relationship and the stress that caused Sara's abuse of her son. Teddy, not an easy baby to care for, complicated the dysfunctional picture.

It is also common for families who abuse to have had inadequate parenting models themselves as children.

> Rita Blaine did not have the models necessary to be an adequate parent. In fact, she had many parents, none of whom fully met her childhood needs. Rita's mother spent most of Rita's early years in and out of psychiatric facilities. When her mother was hospitalized, Rita lived with various friends or her mother's boyfriends who neglected, abused, and sexually abused her. When Rita was 5, CPS became involved and Rita saw her first formal foster home. At 16, after having been in 12 foster homes, Rita ran away with her boyfriend by whom she had become pregnant. They lived together for several weeks before he left. Alone again, Rita sought welfare and managed to find an apartment. The next 5 years saw Rita in three more apartments because she found it tough to budget in the rent, and it often went unpaid. During one brief period she was homeless with two babies. She married but her husband had since left her and she did not know where he could be found. Later, when Rita met Bob, she had three children ages 4 1/2, 3 1/2, and 18 months. She moved into his spacious apartment and convinced herself that finally life would be good for her. For over a year, she reveled in his companionship but found the children becoming more of a burden. It was easier to leave 5-year-old Toby in charge when she went out than to look for anyone to watch them. In fact, Toby was pretty good at caring for the younger children. When Rita discovered she was pregnant again, she was terribly depressed. Bob's seemingly pleased reaction changed her initial plans about abortion. But before long, Bob was gone after a particularly violent fight, leaving Rita alone once again and applying for welfare. With three children and a fourth on the way, she felt angry and cheated. She spent her days in bed and her evenings drinking in front of the television. By now, 5-year-old Toby seemed more like the parent than his mother. It was Toby who pressed his mother into buying some food and went about the tasks of daily living that would mean survival for him and his siblings. Unkempt and underfed, these children and their infant sibling would eventually come to the attention of CPS for neglect.

For parents whose own needs have gone unmet in homes ill-equipped to provide adequate models, parenting becomes overwhelming. Rita spent her life searching for someone who would care for her. The irony is that she found that caretaker in her own child.

> Michelle Gibson provided another type of refuge for her parents. Born after her parents had sought unsuccessfully to resolve their feelings about producing a son with spina bifida, healthy Michelle was her parents' treasure at first. But as her father became more entranced with her, and her brother became sicker, Michelle's mother found her responsibilities overwhelming. The brother's death was the crisis that further separated the family. While Michelle's father sought comfort in his remaining healthy child, her mother handled her grief by throwing herself into a series of outside activities. The birth of another child put further stress on the family. Her mother continued to be absent while more and more was expected of Michelle. She often helped her father care for her younger sister as well as helping around the house. She enjoyed her father's attention. He often confided in her, talking of his own mother who worked from the time he was quite small, a fact that both he and his father had resented. In fact, Michelle's father told her he had never known anyone who cared for him as well as Michelle did. As their "special relationship" began to include fondling, mutual masturbation, and eventually intercourse, Michelle became more confused. But she rationalized how important she was to her father and how much he needed her. It was not until Michelle discovered that he had begun to molest her sister that she told anyone the real nature of their relationship.

Families in which sexual abuse takes place are often comprised of individuals who are disillusioned and disappointed with their lives. Michelle's father, resentful about what he saw as his own mother's desertion, sought a mate who would be all-loving. When the stresses of adult life proved too overwhelming for his equally needy partner, this father turned to his daughter.

EFFECTS OF CHILD ABUSE AND NEGLECT

Research has shown that the effects of maltreatment on children can be significant. While much of this work to determine the impact of abuse and neglect has been done from a retrospective approach (using the testimonies of adult survivors), more recent studies have focused specifically on the effect of maltreatment by studying children. Research on neurological impairment uncovered a significant incidence of neurological damage as a result of head injuries associated with physical abuse.[10]

More recently, a Cornell study designed to explore the academic and social adjustment of school-age children found significant differences in school performance between maltreated children and a control group of children who had not been abused or neglected. In 1987, the Family Life Development Center study of 530 maltreated children found that "...child maltreatment has a strong and pervasive effect on academic outcomes such as children's test scores, especially in reading."[11]

A similar study done in Georgia found significant differences in the adjustment of maltreated children in school, citing issues such as lower self-concept and significantly lower test scores as problems.[12] (See *A Coordinated Response to Child Abuse and Neglect: A Basic Manual* for additional effects that are not school-related.)

Thus it would seem that the effects of maltreatment on children are of special concern to educators. If removing barriers to effective learning is one of the educator's challenges, it becomes increasingly imperative to be able to recognize when children are being maltreated and to intervene.

WHY EDUCATORS SHOULD BE INVOLVED

There are many reasons why educators must become involved in the detection, treatment, and prevention of child abuse and neglect. In addition to professional and moral responsibility, school personnel have a unique opportunity to advocate for children in a way that no other adults except parents can. If the parent is the abuser, this need for advocacy on the part of the school becomes even more imperative.

COMMUNITY ISSUES

It is becoming more obvious that dealing with abuse and neglect is, in fact, a community effort. Educators, though vital to the whole intervention picture, must be supported by other community members and agencies.

A good example of a community effort arose in one small city as a result of the report and later conviction of sexual abuse by a popular clergyman who had been quite involved with groups of Boy Scouts. Once the initial shock had subsided, the church members joined with local school officials and other citizens to address the concerns of the children of the community as well as their parents. Support groups for abused and nonabused boys who knew the perpetrator, awareness programs, and educational programs enabled the stunned community to recover. As leaders in communities, educators are in an ideal position to initiate this type of teamwork.

EDUCATIONAL ISSUES

As educators, our primary goal is to enhance the learning of children and to remove barriers that make that learning difficult. Every year millions of dollars are authorized for this purpose under Public Law 94–142. This special education law protects the right of every child to individualized education. This law attests to our commitment to remove barriers to each child's ability to learn. Yet, the residual effects of child abuse and neglect are as much barriers to learning as any type of perceptual problem.

Educators are trained to recognize and intervene when children are not able to fully benefit from their educational opportunities. This training makes them uniquely qualified to detect cues that may indicate that children are being maltreated. Schools are the only places in which children are seen daily. Therefore, educators have a chance to see changes in their appearances and behaviors.

LEGAL ISSUES

State Policies

According to a 1984 survey done by the National Education Association, every State in the United States legally mandates that educators report suspected child abuse and neglect.[13] However, the range of educators is defined broadly. Some States clearly define that teachers, principals, nurses, and counselors are included while other States designate all school personnel. In addition, almost every State levies a penalty against mandated reporters who choose not to report. This penalty ranges anywhere from a fine, a misdemeanor charge, to time spent in jail. (A mandated reporter is one who in his/her professional capacity is required by

State law to report maltreatment to the designated State agency.) Until recently most States did not strictly enforce these penalties. This has changed within the last few years. A number of States have fined or otherwise sanctioned nonreporters to enforce reporting laws.

***INFORMATION KEY #1: Who Must Report**

According to the laws in this State, persons who are required to report child abuse and neglect are:

____

____

____

In addition to penalties for not reporting abuse and neglect, all States provide immunity from civil liability and/or criminal penalty for mandated reporters who do report in good faith.

In other words, the law is relatively simple. In general, it requires the involvement of educators in child abuse and neglect issues, provides protection for those educators who become involved, and penalizes those who fail to meet their obligations.

INFORMATION KEY #2: Reporting - Immunity/Liability

Persons in this State who report suspected child abuse and neglect in good faith are immune from civil liability and/or criminal penalty.

Persons who suspect maltreatment but do not report are subject to:

______ A penalty up to ____________

____

______ No penalty

Local Policy

Local policy may also support the involvement of educators in the identification and treatment of child abuse and neglect. There is a growing trend across the Nation for school systems and boards of education to enact child abuse and neglect policies and regulations. These policies usually support State law by requiring educators to report suspected child abuse and neglect and may provide administrative penalties for noncompliance. Many further this by encouraging educators to become involved in the prevention and treatment of child abuse and neglect. Such policies may provide for periodic staff development or for representation on a community child abuse and neglect case consultation team;** direct that staff support CPS by participating in the initial CPS investigation; or offer direct service to involved families. Thus in many communities administrative regulations also require the involvement of educators in the child abuse and neglect problem. A model of a complete school policy is included in Appendix A.

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*Throughout the text of this manual are a series of Information Keys designed to provide specific information for local school districts and individual schools. Educators are encouraged to fill out these Information Keys to provide useful information should problems regarding child maltreatment arise.

**Case consultation teams may be designated by a number of different names, including multidisciplinary teams or child protection teams.

Individual School Policy

Each school system may respond differently to the mandate to report abuse and neglect. There are three important issues, however, that each school will want to address.

- It is important that each school have in place a protocol to guide teachers and other school personnel in making reports. (Such a protocol is discussed in the chapter on reporting child abuse and neglect.) School staff should receive periodic training to ensure that everyone knows school policies and is able to implement policies when necessary.
- Included in the protocol should be an indication of how problems with the implementation of the policy are handled (e.g., is there to be a "troubleshooter" or someone with final authority?).
- Supports should be built in so that teachers do not feel vulnerable when reporting abuse and neglect.

Knowing the feelings and attitudes of those in their own school may help educators assess the types of supports and barriers they will encounter in the event that a maltreatment situation arises.

INFORMATION KEY #3: Local School Policy

This local school system or district:

_____ does have a child abuse and neglect policy. In summary, the policy is:

____

____

_____ does not have a child abuse and neglect policy. (If no policy exists, should one be adopted and, if so, what should it say to adequately reflect State law?)

____

____

ETHICAL ISSUES

At the heart of the question of the involvement of educators in the child abuse and neglect problem may well be the ethical basis of the profession itself. Some of the strongest reasons for involvement come from professional responsibilities, basic principles of justice and democratic ideals, and personal commitment of educators to the well-being of the children and families they serve.

Professional Responsibility

Educators have a keen sense of professional responsibility to the children in their care. They are concerned about these children, about their health, safety, and happiness. Educators are aware that they themselves are models and examples for the children they teach, and that they are the only readily available source of support, concern, and caring for many children. Educators want to do what is best for the children in their care because their professional standards require it.

Justice and Democratic Ideals

In a very real sense, educators are symbols of the American principle of "justice for all." They teach responsibility and respect for the democratic ideals of equal protection under the law and duty to uphold the law. When it comes to abused and neglected children, educators are obligated to practice what they teach. Ethics require their involvement in child abuse and neglect prevention and treatment.

Personal Commitment

For many educators, professional responsibility and respect for the law are supported by a deep personal commitment to the welfare of children. The value of this personal commitment must not be underestimated for without it, child abuse and neglect prevention and treatment efforts can be no more than superficial academic exercises. It is this sense of personal responsibility to and for children that is perhaps the strongest reason for educators to become involved in the struggle against child abuse and neglect.

PERSONAL CONCERNS

Educators Who Are Survivors

The helping professions, including education, sometimes attract those who would like to make the childhoods of others better than their own. Some educators were victims of abuses in their own families and these abuses may have left residual scars. The scars from childhood set up numerous conflicts which can color the way we approach our lives and work.

> "I might have had a bit of a 'savior complex,'" one teacher said. "The kids I've taught over the years were special to me. I wanted their lives to be special, too. I didn't want them to have to go through the beatings I did as a kid. As a result I might have been too critical of their parents and too overprotective of the kids. It caused a few problems."

Another teacher described how the sexual abuse she experienced affected her contacts with her students.

> "I felt as though my sense of reality was distorted somehow. I had experienced sexual abuse several different times and wasn't really sure what was appropriate or abusive and what was not. I had done a great deal of personal soul-searching but still I think I missed signals that abused kids in my classroom were giving me just because of my own abuse."

As educators learn more about child maltreatment they may find themselves in conflict with their own experiences. The best solution is to not repress these feelings but rather to understand them. There are numerous books for people who have survived abusive childhoods.[14] These may be of help. Educators may want to increase understanding through therapy. More and more therapists are skilled in talking with adult survivors. Whatever means they choose, educators owe it to themselves and their students to understand their own personal conflicts surrounding child maltreatment.

Knowing Whether To Touch Children

It is truly sad to learn how many day care centers and schools are requesting or even mandating that their staff not touch children because of fear that allegations of child abuse will be made against the educators.

Studies have shown that the nurturing touch actually enhances learning. All children, and certainly those who are not nurtured at home, may be robbed of this important element.

Educators need not be afraid of "normal" touching. Touching is a concern if it is done in secrecy or isolation from others or for the sexual gratification of educators. Children need to be informed and empowered. Prevention programs are now designed to inform children about good, bad, and confusing touch. "Good touch" usually refers to hugs, encouraging pats, and other positive gestures. People may interpret these gestures differently, and this, too, is important to understand. For example, some people prefer not to be hugged; for them this is not "good touching." "Bad touch" usually refers to hitting, punching, biting, and other acts designed to (or that unintentionally) hurt. "Confusing touch" refers to contact that may not feel quite right to children.

Once children are informed, empowerment requires that they be given permission to express their feelings about receiving such touches. Our culture teaches children not to express themselves freely around adults. Yet in this area especially they must be allowed to do so.

Children who are trained to recognize how certain touches feel to them and who are encouraged to express their feelings are allowed to tell the teacher when something does not feel good. While this may be simplistic on one level, training children to protect themselves can take a great deal of pressure off the teacher and reinstate positive touch as a part of learning. However, it is important that children not be made to feel that the entire burden of protection is on their own shoulders.

One type of touch used in some schools is corporal punishment. Currently only a few States have legally prohibited the practices of hitting, paddling, or in other ways punishing children with physical force, but hopefully more will soon.

There are several problems with physical punishment in schools. First, it often precludes the use of more creative sanctions. When children are "paddled," school personnel need not consider what might be more appropriate punishment. For example, one fourth grader was constantly vandalizing school property, e.g., writing on desks, etching words in wooden surfaces, and breaking equipment. For each offense he was sent to the principal's office for a "paddling." When his regular teacher was out for a prolonged illness, the long-term substitute found that this method was not working. At the next offense (etching obscene words in a wooden table), the boy was required to stay in during recess and after school to sand down and completely refinish the small table. After one or two similar gestures with similar punishments, his vandalism ceased. Not only was the punishment "a lot of work," but he was also getting the individual company of the teacher as they were forced to be together during off hours. The teacher soon realized that it was this attention that the student craved and the teacher found more positive methods for the student to request it.

In fact, children accustomed to being beaten at home may actually appear to invite such discipline, assuming that, like their home situation, it is the only attention they can get or are entitled to. Some commentators ask how society can condemn abusive parents for hitting children when schools continue the practice.

False Allegations

The issue of being accused of abuse was mentioned earlier in this section. This is certainly a fear of teachers in today's world. While it is true that those who have the inclination to abuse (especially sexually) are attracted to settings where children are easily available, the fact is that most educators are well meaning and intend no harm.

Mantell (a longtime consultant to the courts in Connecticut) cited six major types of erroneous allegations of child sexual abuse: simple misunderstandings, when adults misunderstand what children are trying to convey; simple misreporting, when the reporting process distorts the child's actual report by sifting it from adult to adult until the story changes; distortion through illness, a disturbed child making the report or a disturbed adult reporting the child's words in a distorted way; distortion by design, when adults who are intent upon revenge against other adults (e.g., custody cases) use reports of abuse to gain custody of the child; professional error, when children are asked leading questions by professionals who bias or distort the story; and misrepresentation, when people who apply to organizations for services recognize that an allegation of sexual abuse will elicit more immediate attention.[15] Knowing how false allegations originate may actually be of some help in combating them.

While the incidence of educators being falsely accused is not high, this issue is of concern to many school personnel. Perhaps the best defense is in education.

As was previously mentioned, educating children about good and bad touch and how to talk about it is a first step. The educator should also learn about the social service system and how it functions. Are the local investigators adequately trained? Anyone accused of abuse has the right to the best trained professionals interviewing the child. If conducted by experienced individuals, these initial interviews are often enough to discount erroneous accusations. What is the process that is followed when a report is made? Knowing the process makes one feel less like a victim and allows one to be more alert to distortions caused by inconsistencies.

Children who falsely accuse usually do so for some reason. They may be disturbed, seeking attention, coached by someone else, seeking revenge, or just misinterpreted. Discovering the reason can often help with an adequate defense.

RECOGNIZING CHILD ABUSE AND NEGLECT IN THE CLASSROOM

Each form of maltreatment (physical abuse, neglect, sexual abuse, and emotional maltreatment) can be found among school-age children. Sensitive educators can pick up cues of possible maltreatment by observing children's behavior at school, observing physical signs, or during routine interviews with parents.

Physical signs of abuse and neglect are those that are readily observable. They may be mild or severe but they involve the child's physical appearance. These physical indicators include skin or bone injuries or evidence of lack of attention manifested in conditions such as malnutrition and/or inappropriate clothing (e.g., lack of warm clothing in winter).

Behavioral clues may exist alone or may accompany physical indicators. They might be subtle clues, a "sixth sense" that something is wrong, or sexual behaviors in young children indicating sexual knowledge not ordinarily possessed by young children, for example, sexual aggression toward younger children. Educators are in an excellent position to notice behavioral clues. As trained observers of children, they are sensitive to the range of behavior expected of children in various developmental stages, and they are quick to notice behavior that falls outside this range.

In the past, lists of physical and behavioral indicators have been provided as guidelines to help educators recognize abuse and neglect. However, recognition of child maltreatment is not based upon the detection of one or two clues, but rather on the recognition of a cluster of indicators that make up a composite. This chapter will be dedicated to the recognition of composites that warrant the consideration of abuse and neglect as a cause.

PHYSICAL ABUSE

Physical abuse of children includes any nonaccidental physical injury caused by the child's caretaker. It may include burning, beating, kicking, punching, and so on. By definition the injury is not an accident. But neither is it necessarily the intent of the child's caretaker to injure the child. Physical abuse may result from overdiscipline, or from punishment that is inappropriate to the child's age or condition, or the parent may experience recurrent lapses in self-control brought on by immaturity, stress, or the use of alcohol and other drugs.

Children are abused for a variety of reasons. Some children require a great deal of care (e.g., premature babies, handicapped children, etc.) and others may be difficult to rear (e.g., hyperactive children, children with behavioral problems, etc.). These children would fare well in some families, but not in other families where the burden would be too great.

> Patrick was born with numerous medical problems: a club foot, crossed eyes, and hearing problems. He was in and out of the hospital for several months following his birth, creating a need for his parents to take time off from work. Both parents' employers began to find these frequent absences a problem, which created pressure for Patrick's already stressed parents. Patrick grew into an extremely active

> child who was stimulated by groups of children and went through 10 day care providers before he was 5. His parents were almost relieved when he entered school. They found him trying at home and often spanked him for his disobedience. When Patrick was in second grade, the death of his grandfather, to whom he and his parents had been close, increased Patrick's hyperactivity. This death also raised conflicts in his overly stressed mother about her own abuse as a child. The emotional strain caused her to lose patience more often with her active son. Patrick's teacher observed that not only had his behavior deteriorated (more aggressive, destructive, etc.) he also began to appear with bruises in school. Patrick complained that he could not sit down or lean against his seat. The school nurse, asking to see his back, discovered several welts extending down onto his buttocks and radiating around his body. Patrick walked to school early and would often cry at the prospect of going home. A report was made and his overwrought mother finally admitted that Patrick's activity level was just too much amidst the other stresses in her life.

It is not unusual to see bruises or burns that are covered by clothing. Often abusive parents recognize consciously or unconsciously that their abuse needs to be concealed. When numerous bruises are at various stages of healing, the educator can also suspect abuse.

The ages of bruises can be detected by the following consecutive colors:

- red
- blue
- black-purple
- green tint, dark
- pale green to yellow[16]

This is a biochemical process that happens in all children. However, it is more difficult to detect the color of bruises in children of color, particularly black children. A physician can distinguish the age and color of bruises in any child, regardless of color.

Children who are being abused such as Patrick may change their behavior, become more aggressive and destructive, or withdrawn. Often, in an effort to avoid the abuse, they will stay away from home as much as possible. School is often seen by them as a safe environment.

Children are sometimes abused because their parents have higher expectations of them than the children are able to achieve.

> Sandy was 10 when her teacher became concerned about her possible abuse. She was extremely shy and withdrawn and often took a great deal of time to grasp ideas, despite the fact that testing showed no significant organic or perceptual difficulties. Her mother, a professional artist who had chosen to stay home with her four children, and her accountant father found Sandy's slowness especially distressing. Sandy's teacher suspected that the father drank heavily, but successful in his profession, he appeared to confine his drinking to when he was at home.

> As the homework required of Sandy increased, she became more withdrawn. The teacher suggested she ask for help at home, especially with her math. At first Sandy began coming to school with peculiar marks on her hands and arms. On another day she arrived with a burn mark covering a good part of her hand. It had not been treated and had become infected. The teacher discovered that Sandy was apparently being abused by her father. After several drinks he would "help her" with her homework, become angered by her slowness, and prod her with his lit cigarette. The latest burn was a result of Sandy's having her hand pressed on an iron when her father had taken over her mother's efforts to teach Sandy to "iron properly."

Sandy's story of parents who expect too much is not uncommon. The child's withdrawn behavior was indicative of her poor self-concept brought on by her experiences at home. Cigarettes are not unusual tools for abuse due to their ready accessibility, nor are objects such as irons, electric cords, and other household items. Substance abuse problems may also be a factor in some dysfunctional families.

It is usually assumed that physical abuse does not happen that often to adolescents. After all, adolescents are stronger, have more resources, and can run away. In fact, neither resistance nor flight is a good option. Resistance might further ignite their parents' anger. And unless they want to deal with the abuses on the street, flight is not an option for most adolescents.

> Dara, an attractive, well-developed ninth grader, found that she was at no loss for invitations to go out. But her parents were strictly against dating. Her older sister had become pregnant at 17, and Dara's parents made it clear that she would not do the same.
>
> Dara began complaining to her gym teacher after one particularly intense argument with her parents. Despite her complaints, Dara insisted that her bruised face was the result of "bumping into a door." The teacher suspected otherwise but chose not to act. It was not until Dara began vomiting several months later and was doubled over in pain that the situation came to anyone's attention. It was discovered that Dara had internal injuries from a severe blow to the abdomen. The girl finally admitted to months of physical abuse from her father.

Despite their need for help, children and adolescents may not initially admit to being abused. Rather they will invent seemingly plausible explanations that do not really fit the injury.

Injuries to the abdomen or the head, which are two particularly vulnerable spots, often are undetected until there are internal injuries. Injuries to the abdomen can cause swelling, tenderness, and vomiting. Injuries to the head may cause swelling, dizziness, blackouts, retinal detachment, and even death.

Abuse situations similar to Dara's happen to adolescents for various reasons. In Dara's home, adolescence with its heightened sexuality created problems. Her father sought to control her with force, fearful that she would become pregnant before marriage as both her sister and her mother had. The fear of loss will sometimes paradoxically drive parents to abuse. In other homes, physical punishment already present increases and escalates into abuse as the child grows.

In all of these case examples, the schools were aware of physical and behavioral symptoms and home patterns that in a composite pointed to abuse.

Morrow suggests two observational charts that might help teachers develop their own composites. (See Figures 1 and 2.)

Figure 1

OBSERVATIONAL CHART OF PARENTAL BEHAVIOR AND INDICATORS OF ABUSE

Parent's Name ______________________________

Child's Name ______________________________

Date ____________ Observer's Signature ______________________________

Parent:

- ______ has a lack of parenting skills
- ______ is ignorant about child development
- ______ shows signs of loss of control or a fear of losing control ("I get so furious at him that I'm afraid I might really hurt him")
- ______ is unusually negative about the child
- ______ complains about the trouble the child creates or of not being able to handle the child
- ______ has an unusually punitive attitude and believes in physical punishment (frequently mentions spanking child)
- ______ has brought the child to a variety of doctors or hospital clinics for past injuries so no one will notice the frequency of injuries (educator may have no knowledge of this)

COMMENTS ______________________________

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From: G. A. Morrow, *The Compassionate School* (Englewood Cliffs, NJ: Prentice-Hall, 1987), p. 40.

Figure 2

OBSERVATIONAL CHART OF CHILD BEHAVIOR AND INDICATORS OF ABUSE

Parent's Name ______________________________

Child's Name ______________________________

Date ____________ Observer's Signature ______________________________

Child:

- _____ receives a lot of spankings at home
- _____ complains that his/her parent is always angry
- _____ comes to school early and finds reasons to stay after school as long as possible
- _____ role-plays abusive parents in class or dramatizes abusive situations with puppets and toys or in artwork
- _____ abuses younger children
- _____ is frequently absent from school, many times with no explanations
- _____ wears clothing inappropriate to the weather (usually long sleeves and pants to hide bruises)
- _____ shows physical evidence of abuse (describe below)
- _____ shows aggressive behavior
- _____ is self-abusive or expresses suicidal ideas

COMMENTS ______________________________

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From: G. A. Morrow, *The Compassionate School* (Englewood Cliffs, NJ: Prentice-Hall, 1987), p. 40.

NEGLECT

Neglect involves inattention to the basic needs of a child, such as food, clothing, shelter, medical care, and supervision. While physical abuse tends to be episodic, neglect tends to be chronic. Neglectful families often appear to be multiproblem families, although families with numerous problems are not always neglectful.

When educators are considering the possibility of neglect it is important to look for consistencies. Educators should ask themselves the following questions:

- Are the children stealing or hoarding food consistently or only once in a while?
- Do the children consistently demonstrate disorganized thinking or unattended needs?
- Would seeing the family in the context of the community provide any answers?
- Is this culturally acceptable child rearing, a different lifestyle, or true neglect?

Neglect usually permeates a family, with all children subject to similar treatment.

> The seven Reese children demonstrated poor hygiene and generally listless behavior. Although bright children, the four school-age Reeses had difficulty in school, a fact seemingly more attributable to problems in organizing their thinking and perhaps lack of stimulation at home, than to an absence of innate ability. Scott, a fifth grader, had been called to the attention of teachers numerous times in his school career for stealing food from other children and the cafeteria. Several times the children had been sent home with lice. The school nurse routinely attended to their neglected medical needs. Frequently Jena, a first grader, would report being left home with her younger siblings while her older brothers were away from home.
>
> Mrs. Reese was a 26-year-old woman whose second husband had recently left. Although she loved her children, she seemed to have little energy to care for them. She fluctuated between working, collecting unemployment, and being on welfare. Mrs. Reese's own family had been involved with CPS for severe neglect.

Neglect often repeats itself again and again, sometimes producing children who have the potential for neglecting their own families. Neglectful parents often demonstrate immature or even infantile personalities; they lack the trust necessary for others to help them. Their life experiences have robbed them of sufficient knowledge, judgment, and motivation to raise children. It is not uncommon to see a parent–child role reversal where children appear to be parenting their parents. Neglect certainly follows a continuum from mild to severe. The more severe the neglect, the more negative the impact on the children.

EMOTIONAL MALTREATMENT

Emotional maltreatment includes blaming, belittling, or rejecting a child; constantly treating siblings unequally; and a persistent lack of concern by the caretaker for the child's welfare. While emotional maltreatment is most often observed through behavior, it is possible for children to internalize sufficiently to cause developmental lags, psychosomatic symptoms, and speech disorders.

32

> At age 11, Max spent much of his free time rocking back and forth. He did not seem to be aware of this behavior. He had also been observed sucking his thumb. When Max was 6 his father died, and his mother had remarried when Max was 7. Soon after, Max developed a tendency to stutter when he felt a great deal of stress. His stepfather was a career military man who described Max as a "real wimp who has to be whipped into shape." The "whipping" was not physical but rather an emotional battering that seriously damaged the child's already shaky self-concept. Now Max described amorphous fears that plagued him both night and day. He became obsessed with "aliens who were coming to destroy the world." His drawings depicted menacing creatures bent on destruction.

For Max and other children like him, the world has taken on a sinister quality. These children may seem overly compliant or aggressive, demanding or undemanding.

While the behavior of emotionally maltreated and emotionally disturbed children is similar, parental behavior can help to distinguish disturbance from maltreatment. The parents of an emotionally disturbed child generally accept the existence of a problem. They are concerned about the child's welfare and are actually seeking help. The parents of an emotionally maltreated child often blame the child for the problem (or ignore its existence), refuse all offers of help, and are unconcerned about the child's welfare.

SEXUAL ABUSE

Sexual abuse includes any contacts or interactions between a child and an adult caretaker in which the child is being used for the sexual stimulation of the perpetrator or another person. Sexual abuse may also be committed by a person under the age of 18 when that person is either significantly older than the victim or when the perpetrator is in a position of power or control over the child.

Sexual abuse may take place within the family (referred to as incest)* or at the hands of adult caretakers outside the family, for example, a relative (uncle, aunt, or grandfather), family friend, or babysitter. The impact of sexual abuse on the child depends upon many factors. For example, the identity of the perpetrator, the amount of force or betrayal involved, the duration of the abuse, and the child's individual personality can affect the way in which the child responds to being abused. When children know the perpetrator and are not significantly physically harmed, the feelings of betrayal when they recognize that they have experienced abuse are almost more disturbing than the abuse itself. Boys are as vulnerable to sexual abuse as girls, though statistically not as likely to report the abuse as girls.[17]

One problem in detecting sexual abuse is that the warning signals to its existence may also be indicative of other disturbances.

> Freddy began complaining of headaches and loss of appetite. His parents reported that he had frequent nightmares and was suddenly obsessed with keeping clean. He seemed alienated from his friends and withdrew into himself. His school work appeared to suffer.
>
> His concerned but busy parents began to explore the cause of his changed behavior. A friend of Freddy's finally told his parents that he had been molested by a male staff member of an after-school program that both he and Freddy attended and the story revealed that Freddy was also abused. Freddy

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*Some experts refer to this abuse as incest only if the family member lives within the immediate household. Others group all close relatives under incest. There are also differences in the classification of abuse at the hands of unrelated persons living with the child, e.g., mother's live-in boyfriend.

> continued to deny this until the staff member admitted his involvement with both boys and described the threats he used to attempt to silence them from telling. With Freddy, his threats had worked well.

Freddy's fears, nightmares, and cleanliness are typical reactions of sexually abused children. Some withdraw while others express their conflicts with aggression. Many are so consumed with the efforts to deal with their conflicts over the abuse that they lack the energy to keep up their studies. Like Freddy, sexually abused children keep the secret not only because the perpetrator may have threatened them, but also because they feel somehow to blame for their involvement and fear that no one will believe them if they report. Boys also fear that they may be perceived as homosexuals.

When sexually abused children begin to tell of their abuse through sexual acting out, the cues may seem clearer to some. Other adults, who are uncomfortable with their own feelings about sexuality, try to ignore the reality.

> Rachael's abuse was first suspected by her teachers when she began to display precocious sexual behavior. Her kindergarten teacher seemed to overlook her compulsive masturbation and excessive interest in her male peers, but the assistant teacher was concerned. When she found Rachael pulling down her classmate's pants and trying to rub his penis she convinced her superior that there was cause for concern. After filing a report, the teachers later learned that Rachael had been sexually abused by her stepfather for several years.

Children who are being or have been sexually abused will sometimes abuse their peers or younger children. This seems to be their way of trying to make sense of the abuse they have received. They have learned stimulation and that they receive attention through sexual behavior. They may therefore stimulate themselves or peers. They may also approach adults seductively, assuming in their innocence that this is what all adults want from them.

It may be more difficult to detect the symptoms of sexual abuse in adolescents, because of their increased knowledge about sexuality. Yet teens who exhibit intense promiscuity and self-injurious behavior (e.g., eating disorders or self-mutilation) may be telling us of conflicts they feel they cannot handle.

GENERAL INDICATORS OF ABUSE AND NEGLECT

There are some indicators that, rather than signaling the presence of one particular type of abuse or neglect, might serve as general signs that the child is experiencing abuse and/or neglect at home. These general indicators include academic clues and emotional/psychological clues.

Academic Clues

Academic performance can be a clue to the presence of child abuse and neglect. This is particularly true when there are sudden changes in performance. Previously good students who suddenly seem disinterested in school or who are no longer prepared for class may be emotionally maltreated. Athletes who suddenly refuse to change for gym class may be concealing evidence of beatings. Children whose broken glasses have not been replaced may no longer have someone looking after them.

Recent studies have revealed a relationship between child abuse and neglect and certain learning problems. For example, Cornell University's Family Life Development Center matched maltreated children with 530 children who had not suffered abuse or neglect and evaluated the school performance of each child based upon grades, grade repetition, achievement test scores, and other school adjustment issues (e.g., truancies, suspensions, and infractions of disciplinary codes). Distinctions were also made between the 120 maltreated children who had been served by local social service agencies and the 410 who had not been treated. Results indicated that maltreatment did in fact have a significant negative influence on children's performance in school. The maltreated children scored lower in test scores, especially in reading, and earned fewer A's and B's and more F's than children who had not been mistreated. In addition, children who have been maltreated are more likely to fail and repeat a grade. In fact, one out of every three abused and neglected children repeat at least one grade in elementary school.[18]

A similar study in Georgia using a smaller population (21 physically abused, 47 neglected) and a nonmatched control group compared test scores, grades, and teacher and parent interviews to examine the academic, social, and adaptive behavior of school-age children. Significant differences between the adjustment of maltreated children and those in the control groups were found. Abused and neglected children were more likely to demonstrate disturbed behaviors (aggression, hyperactivity, anxiety, depression, etc.). Maltreated children had lower self-concepts and felt unpopular in school. In addition, maltreated children scored significantly lower in language, math, and reading scores in the Iowa and Georgia Criterion Reference Test. Teachers felt these children were learning at below average levels and were more likely to repeat a grade.[19]

Research also indicates that the child who is physically handicapped or mentally impaired is at a statistically greater risk of child abuse and neglect than the normal child. In some instances, the handicapped child may be viewed as a disappointment, a burden, or proof of the parents' "failure." Special educators should be sensitive to the particular stresses that having a handicapped child can produce in some families. It is well known that children whose physical needs and problems are ignored may experience learning difficulties. Children who are always hungry or who cannot see the blackboard or hear the teacher because they need glasses or hearing aids cannot learn well, and this inability to learn will be reflected in academic achievement.

Of course, academic difficulties may have a variety of causes and the presence of an academic problem does not prove that child abuse or neglect exists. But, the *possibility* of child abuse or neglect must be considered, along with other possible causes, when the problem is assessed.

Emotional/Psychological Clues

Educators are sensitive to the children who are "different," e.g., physically or mentally disabled. That sensitivity can be extended to abused and neglected children, who may also appear to be different.

Educators must be alert to children who are hostile and angry, effectively alienating all who come in contact with them, or those who may be completely passive, withdrawn, and uncommunicative. These represent extremes in the expected range of behavior, attitude, and affect of abused and neglected children.

Sudden changes in children's emotional or psychological well-being may also serve as clues to child abuse and neglect. The previously gregarious children who are now uncommunicative might be concealing something upsetting.

Children are often barometers of family life: sunny when things are fine, stormy when they are not. A sudden change in attitude or affect does not prove that child abuse and neglect exists. But maltreatment should be one of the possibilities considered when the problem situation is assessed.

RECOGNIZING CHILD ABUSE AND NEGLECT THROUGH INTERVIEWS

For an educator, much important information about a family can be gathered from routine conversations with parents and children. Parents and children will often reveal details of family life, discuss methods of discipline, or directly ask for help with a problem when talking with a classroom teacher, school administrator, nurse, or counselor.

Conversations with the parent can provide clues to how the parent feels about the child. The presence of child abuse and neglect may be indicated if the parent constantly:

- blames or belittles the child;
- sees the child as very different from his/her siblings (in a negative way);
- sees the child as "bad,"" evil," or a "monster";
- finds nothing good or attractive in the child;
- seems unconcerned about the child;
- fails to keep appointments or refuses to discuss problems the child may be having in school;
- misuses alcohol or other drugs; and
- behaves in a bizarre or irrational way.

The educator who knows a child's family is in a better position to gauge whether a problem may be child abuse and neglect or something else; a chronic condition or a temporary situation; or something the school can readily handle or a problem that demands outside intervention. Family circumstances may also provide clues regarding the possible presence of abuse or neglect. When a family is isolated from friends and neighbors or there is no apparent "life-line" to which a family can turn in times of crisis, the risk of abuse or neglect increases. Crises in marital, economic, emotional, or social factors in a family should be assessed carefully as possible causes of family stress.

Sometimes, when considering the possibility of child abuse and neglect, the educator may want to talk with parent or child about a particular incident. Before having this talk, the educator must be convinced that such a conversation will not put the child in further danger. Such a conversation is appropriate provided it is handled nonjudgmentally, carefully, and professionally.

Talking With the Child

It is the educator's role to report any suspicions of child abuse and neglect. There are times when more information is needed to make a report to CPS. However, it is CPS' role to conduct an investigation and to talk to all the parties to determine whether child abuse and neglect has occurred. When an educator needs to talk with a child to clarify suspicions or to provide support to a troubled child, the following information is important to consider.

When it is necessary to talk with a child concerning a possible inflicted injury or condition of neglect, the educator must keep in mind that the child may be hurt, in pain, fearful, or apprehensive. The child must be made as comfortable as possible in the circumstances.

The educator who talks with the child should be a person the child trusts and respects. The person who talks with the child should be the person most competent in the school in interviewing children. The educator interviewing the child may be joined by a colleague; groups of people should be avoided. When the principal insists on participating in the discussion, the effects on the child should be discussed with the principal first. The conversation should be conducted in a quiet, private, nonthreatening place, free of interruptions. The school library, a conference room, or an office are possible choices. The child should be put at ease, and the educator should sit near the child, not behind a desk or table.

Children should be assured that they are not in trouble and that they have done nothing wrong. Children often feel or are told that they are to blame for their own maltreatment and for bringing "trouble" to the family; therefore, it is important to reassure children that they are not at fault.

The child should be assured that the conversation will not be shared freely with other classmates and teachers. (If the educator feels the need to talk to a fellow teacher, this might be mentioned to the child.) If maltreatment is suspected, the educator must remember that he/she *is* a mandated reporter and this must be explained to the child. It is very easy to fall into the role of confidante to an abused child who has begged that no one be told. The following is an example:

> When Frank approached his school coach he said only that he had a problem. He asked that he be able to tell the coach in strictest confidence. The coach must promise to tell no one. The coach agreed and Frank disclosed that he was being sexually abused by his older brother. Unsure of what to do, the coach confided in the school principal, a good friend. The principal insisted that the case be reported immediately and told the coach he must tell Frank. Unfortunately, the report was made before the coach was able to locate Frank. In consequence, Frank became extremely angry and hurt, feeling that now he could trust no one. He vehemently denied that he had ever reported the abuse and retreated into a protective shell of mistrust. Since there was no proof, the case was not pursued.

If educators tell children initially that they must report to get help, but will remain their supporter throughout the process, the abused children will feel more comfortable.

When talking with the child, the language used should be that which a child can understand. If in describing an incident of abuse, the child uses a term with which the educator is not familiar (a word for a part of the body, for example), the educator should ask for clarification or have the child point to the part that is meant. The teacher should not disparage the child's choice of language; rather, the interviewer should use the child's terms to put the child at ease and to avoid confusion.

The educators are not inquisitors, nor are educators responsible for validating the abuse. Children should not be pressed for answers or details they are unwilling or unable to give. Answers should *not* be suggested to children and when the essential information has been gathered, the conversation should be concluded. The discussion need only gather enough information to make a report to CPS. Educators can actually do more harm by probing for answers or supplying children with terms or information. Several major child sexual abuse cases have been dismissed in court because it was felt that the initial interviewers had biased the children.

If children wish to show their injuries to the educator, they should be allowed to do so. The educator should never insist on seeing the children's injuries. At no time should children be forced to remove clothing. It may be important to have the school nurse present should children decide to remove their clothes.

If further action is to be taken, the child should be told what will happen and when. The educator should assure the child of support and assistance throughout the process and should follow through on the assurances. Under no circumstances should the child be asked to conceal from the parents that the conversation has taken place or that further action is contemplated. Nor should the teacher display horror, anger, disgust, or disapproval of parents or the child.

However, the educator should be sensitive to the safety of the child following the disclosure. If it is likely that the child will be vulnerable to parental abuse when he/she goes home and mentions telling someone at school, then CPS should be called immediately. If the teacher feels the child may be in danger, he/she should mention this fact in the report. Support from CPS may provide protection for the child. If a CPS caseworker needs to interview the child at school, the school should provide a private place for the interview and, if requested by the child, someone from the school whom the child trusts may be present throughout the interview. If it is necessary for the CPS caseworker to remove the child from school for a medical examination, the school may wish to request a written release from the caseworker. Many State and local CPS agencies have established protocols with their respective school districts that outline procedure for interviewing children in schools.

Talking With the Parents

Many educators feel that it is important to contact parents to inform them that the school has made a report of suspected child abuse and neglect, because they feel that contact will help maintain the parents' relationship with the school and keep the door open for further communication. It is never appropriate for educators to contact parents in an effort to "prove" a case of maltreatment by accusations or demands for explanation. By the same token, if there is any concern that the discussion of possible maltreatment might make the child even more vulnerable to abuse, it would be wise to discuss the possibility of a discussion with the parents with CPS before scheduling a meeting.

Thought should be given to the most appropriate person to meet with the parents. In some cases, this will be the classroom teacher. In others, the principal or a pupil services staff member will be preferred. In still others, a combination of teacher and administrator or teacher and counselor is best. The principal must be included in any preparatory sessions before meeting with the parents.

Parents may be apprehensive or angry at the prospect of talking with the school about an injured or neglected child. It is important to make the parents feel as comfortable as possible. The conversation should be conducted in private, and the parents should be told at the beginning that a report has been filed and that there is legal authority for the action.

In talking with the parents, the educator should respond in a professional, direct, and honest manner. If parents offer explanations, the educator should be sympathetic. The teacher should never display anger, repugnance, or shock.

Parents should be assured of the confidentiality of the discussion, but if some of what is discussed must be revealed to a third party (e.g., CPS), then this should be made clear. The educator should avoid prying into matters extraneous to the subject of the interview and should never betray the child's confidence to the parents.

The purpose of such a discussion is not only to notify parents that a report has been made but to assure them of the school's support for them and its continuing interest in the child. It is important not to alienate the family. Regardless of the outcome of the current situation, the school is likely to continue serving the family, perhaps for many years to come.

Occasionally an angry parent will come to school demanding to know why someone is "telling me how to raise my children." This is likely to happen particularly when the school has not informed the parent that it has filed a report of suspected child abuse and neglect. Parents have the right to know that a report has been made. They often feel betrayed or that someone has "gone behind their back" when they are not told. Even though CPS staff are mandated *not* to reveal the name of the referral source, the parents nearly always know where the report has come from and attempts at concealment only anger them further.

If angry parents appear at school, they should be handled exactly as any other parent angry over any matter (for example, a failing grade) is handled. In addition, the legal obligation to report should be stressed and the school's concern for the child reaffirmed.

Increasingly, schools are making it routine practice to notify parents when a report of suspected child abuse and neglect has been made by a staff member. The notification is firm but kind. It states the legal authority for the report and casts no blame. Parents are told to expect a visit from CPS or other investigating agency and are offered the support and concern of the school.

Schools that have instituted this procedure report good results. Parents are less hostile and resentful when they understand that the school has a legal obligation it must fulfill. In addition, they often appreciate an expression of concern or an offer of support at a time that, after all, is a very difficult one for them.

Do's and Don'ts of Interviewing

The chart in Figure 3 summarizes some of the above points in terms of some do's and don'ts of interviewing. Local schools may wish to add other items to these lists based on local policy and procedures.

CHILD ABUSE WITHIN THE SCHOOL

It is extremely disturbing for educators to consider that fellow colleagues could be abusing children. However, in the event that this does occur children need special protection. The usual response when schools suspect that one of their own is an abuser, especially if that person is a long-time employee, is to deny or even ignore the abuse. Sometimes the abuser is merely transferred to another school. Even with a suspension or reprimand, the violation is likely to recur in the absence of supervision and monitoring. In some instances the abuse continues under the enabling cover of the school for years. Educators owe children more protection than this.

If a child reports that he/she is being sexually, physically, or even emotionally abused by school personnel, the educator should remember that it takes courage for an abused child to talk to someone. The educator must consider facts and consistencies. Older children may invent stories but these usually contain obvious inconsistencies. The educator should determine if the child knows anyone else to whom this has happened.

If the child does, the educator should ask to talk with the other victim. Alleged victims should be interviewed separately.

Certainly the school administrator must be notified, but the situation should not be discussed among the other staff. The accused has a reputation and the right to know of the accusation. The investigator or principal should talk with the accused colleague early in the process. Not doing so often leads to a witch-hunt atmosphere and is not beneficial to students or faculty.

It is unwise to ask the children to tell their stories initially in front of the accused. There is a significant difference in power and resources between teachers and students.

It is important to remember that schools are mandated reporters whether the abuser is an outsider or a school employee. Under State child abuse and neglect reporting statutes, educators have the same liabilities for failure to report suspected incidents perpetrated by colleagues as they would in incidents resulting from interfamilial abuse or neglect. If the abuse seems to have foundation, the police/CPS must become involved. (In most States nonfamilial abuse is handled by the criminal justice system rather than CPS.)

Figure 3

SOME DO'S AND DON'TS OF INTERVIEWING

When Talking With the Child

DO:
- —Make sure the educator is someone the child trusts.
- —Make sure the educator is the person in the school most competent to talk with children.
- —Conduct the discussion in private.
- —Sit next to the child, not across a table or desk.
- —Tell the child that the discussion is confidential, but that child abuse and neglect must be reported.
- —Conduct the talk in language the child understands.
- —Ask the child to clarify words/terms that are not understood.
- —Tell the child if any future action will be required.

DON'T:
- —Allow the child to feel "in trouble" or "at fault."
- —Disparage or criticize the child's choice of words or language.
- —Suggest answers to the child.
- —Probe or press for answers the child is unwilling to give.
- —Display horror, shock, or disapproval of parents, child, or the situation.
- —Pressure or force the child to remove clothing.
- —Conduct the discussion with a group of people.
- —Leave the child alone with a stranger (e.g., a CPS caseworker).

When Talking With the Parents

DO:
- —Select the person most appropriate to the situation.
- —Conduct the discussion in private.
- —Tell the parent(s) why the discussion is taking place.
- —Be direct, honest, and professional.
- —Reassure the parent(s) of the support of the school.
- —Tell the parent(s) if a report was made or will be made.
- —Advise the parent(s) of the school's legal responsibilities to report.

DON'T:
- —Try to prove abuse or neglect; that is not an educator's role.
- —Display horror, anger, or disapproval of parent(s), child, or situation.
- —Pry into family matters unrelated to the specific situation.
- —Place blame or make judgments about the parent(s) or child.

REPORTING CHILD ABUSE AND NEGLECT

The involvement of educators in the reporting of child abuse and neglect is mandated or supported by Federal standards and regulations, State laws, and local policies and procedures. Each of these levels provides authority for, encourages, or mandates educator involvement in the reporting process by stating what is required of the educator and how that obligation is to be fulfilled.

FEDERAL STANDARDS AND REQUIREMENTS

At the Federal level, there are some pertinent standards and regulations that are directly applicable to reporting child abuse and neglect by educators. They include *Child Protection: Guidelines for Child Abuse and Neglect Prevention and Treatment Policy and Program* (hereafter referred to as the Guidelines) from the National Center on Child Abuse and Neglect (NCCAN) and the Federal Family Educational Rights and Privacy Act (FERPA) of 1974.

Federal Standards

In 1982, NCCAN issued its Guidelines, which are not rigid regulations but rather standards of good practice which could be followed by any agency wishing to have an effective, well-balanced child abuse and neglect prevention and treatment program.[20]

These Federal Guidelines represent the culmination of a long process of review and analysis of current practice. They encompass a broad range of topics such as reporting procedures, treatment approaches, prevention programs, and coordination of public and private programs, and they include guidelines for achieving change. Educators are urged to consult these Guidelines as they plan child abuse and neglect programs of their own.

Federal Family Educational Rights and Privacy Act of 1974

FERPA, which governs the release of information from school records, does not bar the reporting of suspected child abuse and neglect by educators. In the majority of cases, however, educators will be relying not on school records, but on their own personal knowledge and observations when reporting a case of suspected child abuse and neglect. Because no school records are involved in these cases, FERPA does not apply.

In a small number of cases, however, it may be necessary to consult school records to determine whether a report of suspected child abuse and neglect should be made. Ordinarily parental consent is required before information contained in school records can be released. However, there are exceptions that can apply in cases of suspected child abuse and neglect.

Prior parental consent is not required when disclosing information from school records if a "health or safety emergency" exists. It is the position of NCCAN and the Fair Information Practice Staff (the Federal unit that administers FERPA) that child abuse and neglect generally may be considered a "health or safety emergency" if the State definition of child abuse and neglect is limited to situations in which a child's health or safety is endangered. Furthermore, NCCAN and the Fair Information Practice Staff have agreed that responsibility for determining whether a "health or safety emergency" exists must be made by the school official involved, on a case-by-case basis. Thus if a school official determines that an emergency exists, information in school records can be disclosed without parental consent and without violating the provisions of FERPA.

Another exception to the prior consent rule exists if the release of information in school records is made to:

> "State and local officials or authorities to whom such information is specifically required to be disclosed pursuant to State statute adopted prior to November 19, 1974."

According to the 1984 study of legal regulations affecting teachers by the National Education Association, all State child abuse and neglect reporting statutes require reporting by educators to State or local authorities. Most were enacted prior to November 1974. Thus, in the majority of States, release of information from school records to State or local CPS agencies is permitted under FERPA. Educators should check with legal counsel to be certain whether a particular State enacted a reporting law prior to November 19, 1974, and to determine whether this exception to FERPA provisions applies in their jurisdiction.

A final exception to the prior parental consent rule is provided in FERPA Section 99. This section provides that *any* information in a school record may be released without parental consent to:

> "Comply with a judicial order or lawfully issued subpoena; Provided that...(the school) makes a reasonable effort to notify the parent...in advance of compliance."

STATE LAW

All States, the District of Columbia, and the territories have some type of reporting statute for child abuse and neglect. Some statutes specifically name educators as mandated reporters; others do not specify by job title but are more inclusive, indicating that *any* citizen must report. These statutes outline not only who must report but to whom the abuse or neglect must be reported and the form and content of the report. Given the diversity of different State statutes, it would be wise for educators to obtain a copy of the law in their own States. A review of the major points contained in most laws follows.

Who Reports

Most States specifically require educators to report suspected child abuse and neglect, unless educators are grouped under the category of "anyone." Some States specifically define what is meant by an educator, i.e., teachers, principals, administrators, school nurses, guidance counselors, pupil personnel workers in any school, whether public or nonpublic, day or residential. The staff of licensed family day care and center day care and those who serve in child care situations or who are administrators of summer camps are also included. Those professionals mandated to report varies from State to State. Educators should check their State child abuse and neglect reporting statute to determine who has been designated as a mandated reporter.

What To Report

States often specify what can be defined as child maltreatment in their particular jurisdiction. However, most States include in their definition nonaccidental physical abuse and neglect, sexual abuse, and emotional (or mental) maltreatment by a person responsible for the child's welfare. Many States have further defined sexual abuse to include the production of child pornography or compelling children to view sexually explicit materials or acts.

While States require the reporting of suspected abuse, no State requires that the reporter have *proof* that the abuse or neglect occurred before reporting. The law clearly specifies that reports must be made when the educator "suspects" or "has reasonable cause to believe" that there is abuse. In any case, the intent is clear; incidents are to be reported as soon as they are noticed. Waiting for proof may involve grave risk for the child. Furthermore, it is not the role of the educator to validate the abuse. This is the job of CPS caseworkers who have been trained specifically for this type of investigating.

When To Report

Again, State statutes differ as to when a report must be made. As mentioned earlier, the wording may indicate that the educator need only have a suspicion. While early reporting is vital, educators would be wise to keep notes on behaviors, bruises, or other suspicious evidence noted in regard to the child. These informal, personally kept notes may be invaluable not only in filing a report, but in providing information to CPS. Notes should be taken even after the report is made to provide updates for CPS investigators.

INFORMATION KEY #4: Definition of Child Abuse and Neglect

According to the laws in this State, reportable child abuse and neglect is defined as:

____

____

____

States also differ in regard to oral and written reports. Some States require only an oral report, while others ask the reporter to follow up with a written report within a specific amount of time. Educators should check their individual State laws for specifics.

INFORMATION KEY #5: When To Report

1. An oral report ____ is/ ____ is not required.
   If oral report *is* required, it must be made to the responsible agency within _____ hours.
2. A written report ____is/ ____ is not required. If written report *is* required, it must be made to the responsible agency within _____ hours.
3. Special requirements:
   If the school or district has special reporting requirements, a ________________________
   (type of report) must be made to ____
   (name/position of person) within _____ hours.

Where To Report

Each State law specifies one (or more) agencies that receive reports of suspected child abuse and neglect. Usually this agency (or one of the agencies if two or more are specified) is the department of social services, human resources, family and children's services, child protective services, or public welfare. Other agencies mandated to receive reports may include the police department, health department, county or district attorney's office, or juvenile or district court.

The local department of social services or other receiving agency may maintain a special child abuse and neglect unit, usually called CPS. If there is no special unit, the local department itself will have CPS responsibility. The CPS unit receives and investigates all reports of suspected child abuse and neglect and may be involved in treatment and rehabilitation of affected families.

It is important to be certain just who receives reports of suspected child abuse and neglect in a particular jurisdiction. Requirements of confidentiality should be observed so that reports are made only to authorized persons. The State reporting statute will provide this information. An attorney should be consulted if questions arise.

INFORMATION KEY #6: Where the Report Goes

For this school, reports on suspected child abuse and neglect are made to:

____

Telephone Number: ______________________________________

Address: ____

____

Note: Fill in above the agency to which the actual report is made, regardless of who, according to school procedures, makes the report. (See Information Keys #5 and #7)

How To Report

State statutes vary with regard to the form and contents of reports of suspected maltreatment. All States require that an oral report or written report (or both) be made to the agency or agencies responsible for child abuse and neglect. When two reports are required, the oral report is usually required immediately, with the written report following within 24 to 48 hours.

Some State statutes will specify what information is to be submitted in a report of suspected child abuse and neglect. Usually this includes:

- child's name, age, and address;
- parent's name and address;
- nature and extent of the injury or condition observed;
- prior injuries and when observed; and the
- reporter's name and location (sometimes not required, but extremely valuable to CPS staff).

INFORMATION KEY #7: How To Report

The following information must be provided to:

____
(name of person/position)

____
(telephone number or address)

(If the above is a person *within* the school, see also Information Key #6)

Child's name: ______________________ Age: ________

Address: ______________________________________
____

Parent's(s') name(s): __________________________

Address: ______________________________________

Physical indicators observed: ___________________
____
____

Behavioral indicators observed: _________________
____
____

Other indicators observed/known: ________________
____
____

Reporter's name and position: __________________
____

Date of report: _________________________________

In some States, additional information is required. This may include any previous injury to the child or to another child in the same family observed by any teacher; information that would aid in establishing the cause of the injury; information that would aid in identifying the person responsible for the injury; and other information about the child and family that will help CPS in their assessment of risk of child maltreatment.

To assist citizens making oral reports of suspected child abuse and neglect, some States maintain a toll-free 24-hour telephone line just for receipt of reports of suspected maltreatment. Anyone may use this hotline to report an incident of suspected child abuse and neglect anywhere in the State.

To facilitate written reports, most States (and some local school districts) provide a reporting form for suspected child abuse and neglect. Schools should keep a supply of these forms for more efficient reporting. However, an educator may not be excused for failing to report by claiming that reporting was not possible because no reporting form was available. The reporter may use any piece of paper so long as the required information is provided.

LOCAL POLICY AND PROCEDURE REGARDING REPORTING

Across the country more and more school systems and local boards of education are enacting school policies and procedures regarding child abuse and neglect. The policies and procedures support State law with regard to reporting, and they often provide internal mechanisms to be followed when a case is reported. Some policies go beyond reporting by encouraging staff to become actively involved with families and children.

For example, local policy may specify that parents are to be notified when the school has reported a case of suspected child abuse and neglect. A particular staff member, often the principal, may be given this responsibility. Local procedure may require that administrative staff are to be notified when a case is reported and a copy of the written report is to be filed centrally. Procedures for record-keeping and destruction may be specified or a program coordinator may be assigned this responsibility.

Enacting local policy is a good first step for a school system beginning a child abuse and neglect program. The policy clearly delineates duties and responsibilities for all staff. Equally important, it provides administrative backup for line staff who do most of the reporting.

Educators are encouraged to learn whether their school system has a board policy or an administrative procedure for child abuse and neglect. If no such policy or procedure exists, one should be developed.

INFORMATION KEY #8: Special (Local) Reporting Requirements

Special requirements for reporting in this school include:

The National Education Association's publication *How Schools Can Help Combat Child Abuse and Neglect* suggests a possible outline to aid schools in preparing a school policy. Such a policy should include answers to the following questions:

1. At what point should the teacher report child abuse? Suspicion? Reasonable cause to believe? (This may be based on not only school policy but also State law.)

2. Whom does the teacher notify? Nurse? Principal? School social worker?

3. What specific information does the teacher need to know to report?

4. What other school personnel should be involved?

5. Who makes the report to the appropriate authorities? How?

6. What information should be included in the report? (This may be dictated by State law and protective agency policy.)

7. What followup is expected on reported cases?

8. What role will the school play in possible community/child protection teams?

9. What commitment does the school have to in-service training or community programs?[21]

Such a policy might also include another question: What role will the school play in relation to the parent and child?

Policies should be reviewed periodically with school staff (possibly during in-service training) so that everyone is aware of or reminded of school protocol.

Making the Report

Once an educator suspects that a child is being maltreated, he/she must waste no time in reporting. Making such a report sometimes feels risky to educators and may feel stressful or confusing. To alleviate at least some of this feeling, teachers and other school personnel can use the following checklist:

1. Have the data been documented? Has the information been written down to organize it in the educator's mind?

2. Have the data been analyzed? The educator should consider what causes him/her to suspect abuse/neglect in this particular case. The educator should list the symptoms—physical or behavioral.

3. Has the teacher been able to observe the parent/child interaction? Does the parent see the child as worthwhile or different and/or hard to handle?

4. Has the educator spoken with other professionals within the school? Do they have reason to suspect abuse/neglect? Why?

5. Does the educator know the procedure outlined in the reporting policy of the school? Does he/she have the necessary information required for a report? Does the school have the necessary report forms?

6. Does the teacher (or school) have the exact telephone number and address of the agency to which the reports should be made?

7. Has the educator talked with his/her administrator about the support available once the report is made? Has the educator considered what will happen if the parents try to remove the child from the class? Will the teacher have the support of the school administration?

8. Has the educator set up a support system for him/herself with other teachers or administrators? (After the report is made, the educator may feel vulnerable and need to talk.)[22]

If the educator cannot answer all these questions affirmatively, he/she may still need to report immediately. However, organizing one's thoughts will help in simplifying the process. It is important to remember that even if the principal does not want to report the situation to CPS, a teacher is still mandated to report his/her suspicions.

DIFFICULTIES THAT MAY BE ENCOUNTERED WHEN REPORTING

A report of child maltreatment is not an accusation; rather, it is a request to determine if abuse or neglect has taken place and, if so, to begin the helping process. But the reporting process does not always happen smoothly. Difficulties may be encountered that prove to be barriers to reporting and discourage the educator from making future reports.

Personal Feelings

One of the biggest obstacles to reporting may be the feelings of the potential reporter. Some people would prefer not to get involved. As one educator put it:

> Although I realize that a child abuse report is not an accusation, I really hated to be the one to do it. What if the parents became angry with me? What if they pulled their child out of my classroom? What if they saw me as a troublemaker? I also wondered if I would be in any personal danger. Some of the abuse seemed awfully violent. Would the parents come after me?

These are typical concerns of educators and should be addressed. Parents who are subjects of a child abuse report may feel angry. Anger is a human response when we feel threatened. But sensitive presentation with the desire to help may actually turn the teacher or school counselor from the enemy to an ally. These parents certainly have the right to pull their child out of a particular classroom, but only a small percentage actually do so, especially when the school makes known its intention to help rather than punish.

Teachers often ask if they are in personal danger. Although there may be a very few exceptions, most abusive parents lack the social skills to face adults, especially those whom they perceive to be in authority positions. This feeling of not being able to confront adults is exactly the reason why abusive parents turn their anger or frustration toward the child(ren) or their spouse. An occasional parent may yell or threaten but that is usually as far as it goes. Thus, educators should be assured that in most cases they are in no danger.

Some educators also question their right to intervene in families.

> One teacher described a family who had recently come to this country. "In their country hitting the children severely is accepted practice," she said. "What right do I have to tell them to change their cultural values?"

The fact is that in this country hitting children in such a way is illegal. Individuals wishing to live in our country must also obey the local laws.

One of the most difficult situations for educators is discovering that abuse or neglect is being perpetrated by someone they know well. It may be extremely difficult for an educator to face the fact that a son or daughter of a colleague or a neighbor is being abused or neglected, or that a respected member of the community is sexually abusing children at the school. This is a natural feeling, but it must be overcome. Even if an educator knows the abusive family well, making a report may still be necessary. All children are protected by law and, no matter what the circumstances, the educator remains a mandated reporter.

Problems Internal to the School

Sometimes school administrators place an obstacle in the way of reporting by failing to make an official report of suspected maltreatment once a situation has been brought to their attention or by making it difficult for teachers to report. This may be done for the same reasons discussed above or it may be that the administrator just does not want to "make waves." Such actions may be more than obstructive; they may be illegal.

In some instances central administrative staff may provide no backup to line staff, thus undercutting the reporter who has acted in the best interests of the child and complied with the law. Suddenly reporters find their motives questioned. Superintendents or principals who fail to provide in-service training to staff to inform them of their legal obligations may also be an obstacle to reporting. Staff who do not know the signs and implications of child abuse and neglect or who are unaware of their legal responsibilities will be unable to help maltreated children.

Administrators who refuse to report or who make it difficult to report cause several problems for teachers. Not only does the teacher feel unsupported and even undermined, but teachers whose administrators do not report may be held liable for the unreported abuse or neglect. Thus the teacher is put in a position of being vulnerable to legal sanction or bypassing the administrator's level. While some States allow anonymous reporting, the teacher would not be protected as there would be no proof (i.e., a name) that he/she had ever reported.

The procedural difficulties caused by administrators who refuse to report can often be resolved when a reporting policy is adopted. Staff training is also essential and should be mandatory.

Previous Bad Experiences

Educators who have had an unfortunate experience when reporting suspected child abuse and neglect may be reluctant to become involved a second time. Such educators may have been discouraged from reporting or may have developed a distrust of CPS (or another agency) or its staff, feeling that a previous case was not handled to their satisfaction. These concerns are real and often valid. But a previous bad experience does not mean that the next time the case will not be handled well. CPS agencies throughout the country are continually working to upgrade their services. In some communities, they are becoming steadily more responsive and highly skilled. However, after an unfortunate experience with CPS agency response, the reporter should not hesitate to request that an agency supervisor intervene in the handling of the case.

Educators must report regardless of their concerns or previous experience. The law requires it, and no exemptions are granted to those who have had a bad experience. In addition, while reporting does not guarantee that the situation will improve, *not* reporting guarantees that the child will continue to be at risk if abuse or neglect exists.

Belief That Nothing Will Be Done

Sometimes potential reporters become convinced that nothing will be done if they report, so they choose not to report. Aside from the legal considerations (failure to report is against the law in all States), such reasoning is faulty. If an incident of suspected child abuse and neglect is reported, some action *will* occur. At the very least, a record of the report will be made, the educator's legal obligation fulfilled, and the investigative process begun. However, if the incident is not reported, one may be sure that nothing will be done. Abused and neglected children cannot be protected unless they are first identified, and the key to identification is reporting.

Some educators find it frustrating that CPS often will not let them know whether or not the case is being investigated. Confidentiality laws and policies often make followup impossible. However, educators may offer to keep in touch with CPS during the treatment phase to help children as much as possible. Certainly educators can request information about the disposition of the case, emphasizing their concern for the child. Some State laws will allow release of information from CPS to other professionals when the individual is a member of a multidisciplinary team.

ONCE THE REPORT IS MADE

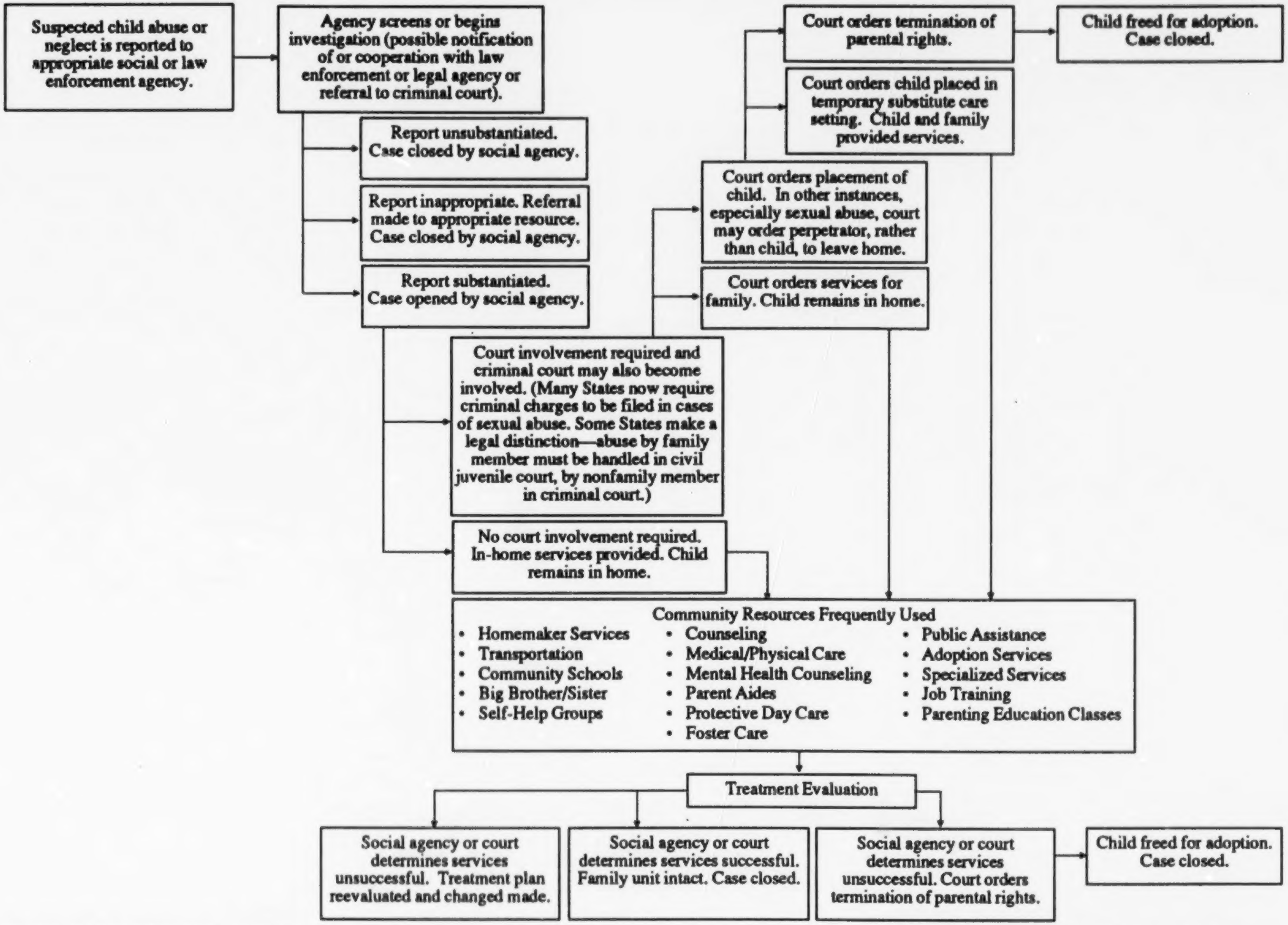
When a report of child maltreatment is filed, CPS staff must make several decisions. First, they must decide if the abuse/neglect actually occurred. If the report is substantiated, CPS must determine if the child will be safe at home. Finally, CPS must decide how to protect the child in the future.

In some States, a court becomes involved automatically. In other States, whether to involve the court is one more decision that CPS must make. If a court is involved it will probably be a juvenile or family court, responsible for family well-being rather than for criminal complaints. Increasingly in the case of sexual abuse (or death or extreme physical abuse), complaints are filed in criminal court.

In some instances, educators may be asked to appear in court as witnesses. It is important for them to remember that witnesses are not on trial. Usually school staff will be called to help the child or present a more complete picture of the family situation.

In general, the process for each case that comes to the attention of CPS is similar. Figure 4 provides an overview of this process.

FIGURE 4 What Happens When Suspected Child Abuse Or Neglect Is Reported



Suspected child abuse or neglect is reported to appropriate social or law enforcement agency.

Agency screens or begins investigation (possible notification of or cooperation with law enforcement or legal agency or referral to criminal court).

Report unsubstantiated. Case closed by social agency.

Report inappropriate. Referral made to appropriate resource. Case closed by social agency.

Report substantiated. Case opened by social agency.

Court involvement required and criminal court may also become involved. (Many States now require criminal charges to be filed in cases of sexual abuse. Some States make a legal distinction—abuse by family member must be handled in civil juvenile court, by nonfamily member in criminal court.)

No court involvement required. In-home services provided. Child remains in home.

Court orders placement of child. In other instances, especially sexual abuse, court may order perpetrator, rather than child, to leave home.

Court orders services for family. Child remains in home.

Court orders termination of parental rights.

Child freed for adoption. Case closed.

Court orders child placed in temporary substitute care setting. Child and family provided services.

Community Resources Frequently Used

- Homemaker Services
- Transportation
- Community Schools
- Big Brother/Sister
- Self-Help Groups
- Counseling
- Medical/Physical Care
- Mental Health Counseling
- Parent Aides
- Protective Day Care
- Foster Care
- Public Assistance
- Adoption Services
- Specialized Services
- Job Training
- Parenting Education Classes

Treatment Evaluation

Social agency or court determines services unsuccessful. Treatment plan reevaluated and changed made.

Social agency or court determines services successful. Family unit intact. Case closed.

Social agency or court determines services unsuccessful. Court orders termination of parental rights.

Child freed for adoption. Case closed.

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Adapted from "Open the Door—on Child Abuse and Neglect Prevention and Reporting Kit" (Ohio Department of Public Welfare, Children's Protective Services, under a grant from NCCAN, n.d.)

AFTER THE REPORT: WHAT SCHOOLS CAN OFFER

Reporting is just the beginning of the child protection process. Treatment, rehabilitation, the strengthening of the family, and prevention still lie ahead. Traditionally, the roles of school and educator in child abuse and neglect have ended with reporting, but this is changing. Increasingly, educators are providing assistance and support to CPS staff by sharing relevant information about specific families and children after they have been reported; by providing services for the child, the parent, and the family; and by participating on a multidisciplinary team. Schools can also become actively involved in community efforts to reduce the incidence of child maltreatment.

SHARING RELEVANT INFORMATION

Although CPS is responsible for case management and followup after the report has been made, CPS caseworkers will frequently find it necessary to consult with school personnel when making an assessment of the family and planning treatment. School personnel often have information (either in records or through personal knowledge) concerning the child and/or family's level of functioning, i.e., their strengths and weaknesses. This information is invaluable to CPS staff in making an accurate assessment and formulating realistic treatment goals and objectives for the family.

In providing this information, schools must be conscious of the rights of children and parents. Schools can be an excellent resource for aiding CPS, but great care must be taken to ensure the confidentiality of information, to share it only with those persons designated by law.

SUPPORT FOR THE CHILD, THE PARENTS, AND THE FAMILY

The school can and does serve as a focal point for services to children and families. The expertise needed to assess special needs and design programs to fit those needs already exists within the schools. An example of this response to special needs is programs for handicapped children.

In accordance with the Education for All Handicapped Children Act (P.L. 94–142; 20 USC 1401; 89 Stat. 774), many schools have formed professional review teams to develop individual educational plans for handicapped children. These teams usually include a psychologist, social worker, speech therapist, reading specialist, and others. Team members are skilled in diagnosing and assessing special problems and in tailoring individual programs to address those problems. Teams routinely work with parents and other educators, call upon support services as indicated, and annually review and revise the plan for each child.

Abused and neglected children are children with special needs. Highly trained educators, already in the schools and skilled in working with children and parents, can be of great help to abused and neglected children and their families. Schools may wish to consider setting up a formal structure or program to meet the needs of maltreated children. In doing so, however, educators should be extremely careful to protect the rights of the child and family and to avoid labeling these children as abused or neglected.

Support for the Child

Special Services

Abused and neglected children often have special educational, psychological, or medical needs. Schools already provide a number of special services to children who require them. These services, each backed by qualified professionals who administer them, may include:

- diagnosis and assessment of specific problems, including academic, learning, behavior, health, and social adjustment problems;
- development of individualized educational plans; and
- support services including counseling; speech, hearing and language therapy; behavioral management; special education; and health care.

Because the available and accessible services in individual communities vary, educators may need to take a more significant role in meeting the needs of abused and neglected children. Information Key #9 will enable the educator to determine what services are available and what resources can be used.

INFORMATION KEY #9: Special Services for Children

For this school, the following special services are available for abused or neglected children:

Title	Name	To Refer Child, Contact	Trained in Child Abuse & Neglect	
1. Psychologist			Yes	No
2. Nurse			Yes	No
3. Speech Therapist			Yes	No
4. Reading Therapist			Yes	No
5. Social Worker			Yes	No
6.			Yes	No
7.			Yes	No
8.			Yes	No
9.			Yes	No
10.			Yes	No

If specialists are not available, how can needed services be provided to abused or neglected children?

If specialists are not trained in child abuse and neglect, what resources exist for this training?

Regular School Programs

The regular school program offers opportunities to support the abused and neglected child. Negative self-concepts common among these children can be offset by positive school experiences and a sense of achievement and accomplishment. The feeling of isolation that maltreated children frequently experience can be counteracted by providing increased contact with classmates and the chance to make new friends.

Warm and sympathetic teachers can allow children to see adults in a positive, supportive, and caring role. Creative classroom experiences can further enhance the process of healing.

Teachers find that interjecting into their classroom activities specific types of information designed to help all children can actually be of great benefit to abused and neglected children. For example, two issues that often create problems for victims of abuse and neglect are recognizing and expressing feelings and making decisions. Many teachers have successfully designed and used segments on the recognition of feelings. A popular tool for younger students is a "feelings barometer" that encourages children to move the indicator to show how they are feeling and discuss why. Some teachers make creative problem solving an integral part of their curriculum. In this way not only do all children learn how to make more effective decisions, but abused or neglected children are encouraged to feel less helpless.

When maltreated children receive therapy, they are in the therapeutic environment for a very small part of a week (often only an hour). But because children are in school for 6 to 8 hours per day, 5 days a week, educators are able to help children heal a great deal more. Educators need not be therapists. They only need to be creative in their activities and consider what maltreated children need most.

INFORMATION KEY #10:
Ways of Addressing the Needs of Maltreated Children in the Classroom

Issues	Suggestions for the Possible Curriculum
1. Inability to express feelings	Use of a feeling barometer. Begin each morning with discussion of how we feel.
2. Trouble making decisions	Teach a problem-solving formula. Give sample problems and have students use formula.
3.	
4.	
5.	
6.	
7.	
8.	

Special Issues for Maltreated Children

The lives of maltreated children, even after the reporting of abuse or neglect, may be filled with stress. Due to high turnover rates, CPS caseworkers may come and go, leaving children unsure about trusting the consistency promised by anyone in their lives. Schools, however, can provide a constant, stable environment. Sensitivity to children's need for consistency is vital. Something as basic as having their own desks for which they are responsible can be most beneficial. Classroom teachers and school counselors should make themselves aware of children's need for consistency and try to find ways to meet that need.

Another issue that may be part of children's lives is that of court involvement. Children who know their case is coming to court often feel agitated, anxious, and insecure. Many realize that the court could decide where they will be living tomorrow. Courts often present a scary image for children. Their behavior may attest to this. Helping children deal with their feelings about their families' court involvement involves two steps: education about the court process and sensitivity to an individual child's experience. Education about the court system for the whole class can demystify court involvement. A field trip to a courtroom or a visit to an interested judge or lawyer could also help.

Still, the fact remains that for abused/neglected children the court may have a great deal of power. Knowing when the case is going to court could help the educator to anticipate and be sensitive to children's feelings. Given this rationale, most caseworkers will tell teachers when the case is to be heard. A few minutes alone with an anxious child might help him/her deal with the outcome effectively.

Some maltreated children are placed in foster homes if CPS feels that they will be unsafe at home. Separation from parents, no matter how abusive or neglectful, can have a profound impact on a child. CPS will often attempt to place children in the same school system to provide some consistency.

Because the foster mother and father are the child's new, if perhaps temporary, parents, the school should initiate immediate contact with the foster parents. Who enrolls the child, the caseworker or the foster family, differs from agency to agency, so the foster mother or father might not have had a chance to meet with school staff. The fact that the foster family may be overwhelmed with an upset child may explain why they do not make contact with the school early in placement. But the school's intent and that of the foster family are identical, to help this child. Therefore, the two should work together on the child's behalf.

In addition to working with the foster parents, educators need to be sensitive to children's needs when they are in foster care. For example, children may need to know that people do not see them differently and that their possessions at school are still their own. All children, even those who are not maltreated, might want to learn about what foster care is and how it works. The local social service agency might give assistance in this regard.

Support for the Parents

School Programs for Parents

Parents involved in child abuse and neglect are frequently lonely, isolated, and experiencing periods of great personal and/or family stress. (See *A Coordinated Response to Child Abuse and Neglect: A Basic Manual* for philosophical tenets regarding maltreating parents.) Many schools already provide programs and services that can directly benefit these parents. These programs include:

- **Parent education programs** emphasizing the unique skills of parenting and assisting parents to understand that parenting skills are learned, not instinctive.

- **Early childhood programs** emphasizing the process of child development, describing realistic levels of expectation, and helping parents enhance their own child's development.

- **Counseling programs** ranging from job skill counseling and programs in alcoholism or drug abuse to assisting parents in the use of alternatives to physical punishment as a form of discipline.

- **Adult education programs** including high school completion, high school equivalency, occupational training, leisure time activities, and recreational programs.

Programs like these need to be expanded and replicated to effectively include parents of abused and neglected children. Such programs offer direct help to parents, but they also provide the opportunity for socialization, the chance to make new friends, and pursue new interests. This is vitally important if the pattern of isolation common among abusive and neglectful parents is to be broken.

Parent Involvement in Planning

Parents can also be involved directly in planning for their children. Teams that serve handicapped children are already working with parents to develop individual educational plans. These skills can be transferred to planning programs for abused and neglected children that focus on their needs and involve their parents. When a problem is identified, parents can be brought in to help deal with it. Concrete, targeted suggestions can be made and cooperative agreements can be worked out between school and home. The plan is more likely to be successful if the presentation is positive, delivered in terms of what the school is prepared to do to help the parents, and includes recommendations of the parents.

INFORMATION KEY #11: Support for Parents

1. Parent programs now offered by this school include:

____

____

____

2. To increase the effective use of school resources in assisting abusive or neglecting parents, how can school resources be improved or changed?

Support for the Family

Schools can offer both direct and indirect support to the families of abused and neglected children. None of these services are new. All already exist, and schools have provided them for years. It is merely their application for abused and neglected children that is new.

Financial Support Assistance

Where financial difficulties are present, schools may be able to provide free or reduced-price breakfasts, lunches, field trips, and extracurricular activities. For the child who needs them, the school may be able to arrange for the provision of glasses, hearing aids, or prosthetic devices. Many schools maintain an emergency supply of clothing and shoes so that children without them can receive them quickly and quietly.

Home Visits and Child Assistance

In many school districts, pupil personnel workers, social workers, or school nurses make home visits to assess family needs and to arrange for needed support services. Others arrange for day care, after-school care, or special programs such as home tutoring for the chronically ill child.

Support for Parents Whose Children Were Abused Outside the Home

Perhaps the most forgotten victims are the parents whose children were sexually abused by someone within the community. These parents are expected to support and advocate for their abused children while often little recognition is given to the fact that they may be having problems too. Parents often feel guilt over being unable to protect their children. Often this guilt is quite irrational. One mother agonized over why she let her 9-year-old son walk a block from school to his home, but her infant was ill and there was no way that she could have picked up her older son. No one knew he would be lured into the home of a neighbor and molested.

Sometimes parents feel some anger toward the victim and this further intensifies their guilt. The above-mentioned mother was secretly angry with her son for going into the neighbor's house despite the fact that she had freely condoned this behavior in the past.

Parents may also be extremely angry at the perpetrator and not know how to contain this anger. This anger is often more intense if the parent, too, was abused as a child. Abuse in their own childhoods may be the root of other conflicts for these parents.

Educators can be instrumental in recognizing that these parents have these kinds of feelings and need support in order to support their children. Sensitive educators might acknowledge this in their dealings with parents around the adjustment of the child. A referral for professional support might also be welcomed by a distressed parent.

Use of Facilities

Schools can offer indirect support to families by providing education and assistance to the community at large and making their extensive facilities available for support groups and crisis nurseries. All that is needed is acceptance of the school's critical part in child abuse and neglect and a willingness to be involved in its elimination.

CHILD ABUSE AND NEGLECT MULTIDISCIPLINARY TEAMS

A community approach to child abuse and neglect is most effective because it makes optimal use of the special skills and knowledge of various professionals so that family and community needs are met. Many communities are turning to multidisciplinary child abuse and neglect case consultation teams as a means of ensuring integrated investigation, planning, and service delivery. Case consultation teams usually include representatives from health/mental health, social services, law enforcement, and education agencies. Members bring with them a wide range of backgrounds and a diversity of diagnostic, assessment, and treatment skills. They meet together regularly to assess cases of child abuse and neglect and to recommend treatment programs. Team members are able to commit services from the agencies they represent and call upon a broad range of services, resources, skills, and programs to help families at risk.

Child abuse and neglect case consultation teams also frequently serve as a forum for resolving the issues and conflicts that inevitably arise whenever difficult social problems must be addressed by multiple public and private agencies. As they work together, team members come to know, understand, and appreciate each other's functions in the management process. Within the team framework, if problems arise, they can be solved quickly. If a particular recommendation has not been proven effective, another can be considered. Lines of communication are opened and the entire process works more smoothly.

The team concept is an excellent one, with which educators are thoroughly familiar. In fact, in many communities the school individualized educational planning team can serve as a model for the community-based case consultation teams.

Educators can make additional contributions to the team. They can lend their expertise in the areas of child development, developmental disabilities, and the educational needs of children.

COMMUNITY COORDINATION

To foster coordination, some communities are establishing child protection committees or task forces. A child protection coordinating committee provides an organizational structure in which community agencies and resources involved in meeting the needs of children and families can work together. This community effort can define roles and responsibilities, increase communication and coordination, identify gaps in services, and avoid duplication of services while increasing the efficient use of existing services and resources. Although in most instances CPS has the primary responsibility for organizing the committee, the educator is one of many persons from multiple agencies and professional disciplines who must work together to maximize the opportunities for the optimal development of the children within the community. If there is no child protection coordinating committee in a community, educators may be able to help institute such a coordinating body. In fact, a school's policy should address its role in a total community effort to combat child maltreatment.

PREVENTING CHILD ABUSE AND NEGLECT

Recognizing and reporting child maltreatment are important means of preventing child abuse and neglect from continuing or recurring. But schools must also be involved in primary prevention, i.e., preventing maltreatment from occurring at all. Schools are in a unique position to address this problem by virtue of the staff's training and expertise, the school's position in the community, and the availability of physical facilities. A school's involvement can be divided into school-based programs, school–community programs, and individual action on the part of staff.

SCHOOL-BASED PROGRAMS FOR CHILDREN AND ADOLESCENTS

While many of the prevention programs for young people are not new, more could be done to help students cope with their lives. Some prevention efforts are accomplished through programs while others are integrated into existing sections of the school curriculum. There are several areas of prevention that should be addressed with children and adolescents:

- life skills training;
- preparation for parenthood; and
- self-protection training.

Life Skills Training

Some of the skills children need to learn to function as responsible adults should come from watching the adults around them. If these adults are not adequate models, educators should be teaching these skills in schools. Some skills are already being taught. Others could be more fully addressed.

Socialization Skills

Socialization is learned by participating during the school day. Children learn to interact with peers in ways that should be beneficial for all parties. In a society filled with violence, children must be helped to learn how to negotiate peaceably to get their needs met.

Helfer suggests that many children, especially those from troubled families, never learn five basic skills for becoming adequately socialized, productive adults.[23] First, children may not learn *how to get their needs met appropriately*. Often these children are not able to express their needs and ask for help. They may not perceive that adults are listening. Teachers have found that listening to children carefully and teaching them to express themselves and identify their feelings can improve their ability to get along with others. When children know that they are being heard, they are also more able to *delay gratification*, a skill that Helfer says many adults lack. Expressing feelings also enables children *to separate these feelings from actions*. For example, children must learn that it is acceptable to feel anger toward someone, but it is not appropriate to hit him/her. Children must also learn to *take responsibility for their own actions*. And finally, children must learn to *make decisions*.

Any tools integrated into the curriculum that teach children the above tasks may also prevent them from being abusive to their own children. There are programs that are designed to help children discuss feelings or take responsibility. Some teachers use other spontaneous techniques. For example, a tool used with increased frequency in school is the journal. Children and teens are asked to write in journals as a way of composing their thoughts, expressing feelings, and gaining self-awareness.

Problem Solving and Coping Skills

Helfer also comments that an inability to make decisions can cripple an individual's functioning, create frustration, and perhaps even stimulate abusive behavior. Certainly being frozen by indecision has happened to many people, without necessarily resulting in abuse. Thus, it is important to teach children problem-solving skills: how to prioritize; how to explore alternatives; and how to live with the consequences of personal choices. In our stress-filled society, basic lessons on how to prioritize are essential.

Children must also learn how to deal with a crisis. Many sexual abuse prevention programs include segments on who children tell in a crisis situation (e.g., fire, abuse, etc.). Officers from local agencies (e.g., fire department, police department) are often helpful in educating children on how to respond to an emergency. By knowing their resources, children take control of their lives and are less likely to feel vulnerable as adults. Building a positive self-image is vital for children to become healthy adults. Books such as *100 Ways to Enhance Self-Concepts in the Classroom* (Wells and Canfield, 1976) are useful tools for teachers to find exercises to help children develop good self-concepts. This should also be built into the curriculum so that all children feel better about themselves.

Specific Skills for Adulthood

With a need for specific skills in our complex society, it is amazing how many daily living skills are never taught. For example, how many adults learned budgeting, money management, or time management when they were in school? Parents may have taught these skills, by lesson or example, but if they did not, the young adult usually learned by trial and error. Learning skills that ease the transition into adulthood can prevent overwrought, frustrated adults from becoming abusive to their children.

Preparation for Parenthood

To parent adequately, children must be armed with knowledge in three areas: normal sexuality, child development, and parenting skills.

Some schools find it easier to secure parental permission to teach sexual abuse prevention than to teach **normal sexuality**, when the latter should be so integral to the former. Teaching basic knowledge about one's body, gender, and reproduction should be given more attention than is given in one health or biology class in high school. When children are presented with age-appropriate material early, this knowledge becomes an integral part of their understanding of their own sexuality. They are then better equipped to enter into healthy sexual relationships as adults, a fact that can also lessen the stresses of marriage and the conflicts that hamper effective parenting.

Child development should also be taught to children. Some cases of abuse and neglect have been associated with the parents' lack of knowledge of their children's developmental needs. Thus, students who are trained to understand what children do at specific ages may be better able to cope as parents. As parents, they are far less likely to become angry with a 2-year-old who says "NO!" to every command or suggestion when they understand that every 2-year-old does this. As parents, students will be less likely to become frustrated over toilet training when they understand how and when it can be accomplished most effectively.

Courses on child development also provide information for teens who wish to try their skills with children by babysitting. Some schools actually provide a babysitting certificate for both boys and girls who learn the appropriate skills.

Parenting skills are a necessary complement to a knowledge of child development. For almost every other adult task (e.g., driving a car) society provides the opportunity for training, but until recently very little was available for potential parents. One particularly useful exercise to teach young people what is expected of parents directs students to pair up and assume the complete care of an egg. The egg, representing their baby, must be cared for, protected, nurtured, kept warm and safe, and not be left alone. At the completion of the exercise, participants discuss the frustrations and satisfactions of parenting.

Some classes have also used debates on discipline, nutrition, children's responsibilities, and budgeting to help students recognize what society will expect of them as parents.

It is important that parenting skills training be a mandatory component of any high school program for boys as well as girls. Traditionally such courses have been aimed at high school girls. Limiting these courses to such a small population means that the majority of future parents receives no training or education for what will prove to be one of the biggest challenges they will face as adults. Many communities are beginning to address parenting for teenage parents. Educators should check to see if their community has established such a program.

Self-Protection

Numerous programs are available now to help children to protect themselves, especially against sexual abuse. The usual components of such programs are: educating children about what sexual abuse is, i.e., distinguishing between good, bad, and confusing touch; making children aware of who potential abusers are; and teaching children what to do when they are abused or feel that they are vulnerable to abuse.[24] Some programs bring in experts to educate the children, while others train teachers to conduct the training seminar or integrate the information into their curriculum. Certainly it is essential that teachers not only be trained in content but also become comfortable with their involvement in this type of training.

Recently Finkelhor assessed the evaluative studies of these classroom training efforts to determine how effective they had been. He concluded that not only did children grasp the basic concepts, but they also communicated more openly about abuse, both in the classroom and with their parents. Research in the area of efficacy has just begun, but current findings support this type of training for children.[25]

SCHOOL-BASED PROGRAMS FOR FAMILIES

Help for Families at Risk

Schools can aid in the community effort to prevent child abuse and neglect by recognizing and aiding families at risk. One way is by extending school hours to include care for children after regular class hours. This allows extra freedom for working parents or for parents who could just use some relief from their child care responsibilities.

Adolescents at risk present special problems for identification and help. These young people often have more problems with their parents than children in other age groups. Schools should make an effort to identify and serve adolescents and their families to alleviate some of this stress. Setting up recreation programs for adolescents after school hours would be one effective way of helping them and their parents.

Support for Adolescent Parents and Their Children

Schools are becoming increasingly aware of the needs of adolescent parents. Often teens who become parents (whether married or single) have not had some of the essential training mentioned above. These youths are faced with the responsibilities of the adult world while their emotional immaturity and need to continue their studies present additional problems for them. Schools should specifically address adolescent parents because they are a high-risk group for an array of problems: economic difficulties, health problems, housing problems, job instability, and problems in child rearing. Schools must begin to focus on specific programs to help adolescent parents stay in school while strengthening their family life.

In some school districts, unfortunately, married students and adolescent parents are excluded from regular academic programs and extracurricular activities. This exclusion only heightens the loneliness and isolation that many of these adolescents already feel. Schools must develop alternative programs for these students, programs that will allow them access to their friends while providing them the specific help they need to cope with the double demands of school and a family of their own.

Some schools provide special programs for the children of adolescent students. Parents and child both attend school, with the child cared for in a special child care center. The parents attend regular classes, but they also spend time in the child care center, observing and caring for all the children there. Such an arrangement offers a unique training ground for parents and an enhanced learning experience for the children. Other schools are meeting the needs of this population in different ways. Some provide support groups while others assign special teachers and counselors to monitor and support. Some schools offer these teens training in parenting, birth control, budgeting, child development, and time management.

Services to teen parents have proven to be most effective and may actually prevent them from falling into the role of abusive or neglectful parents.

SCHOOL–COMMUNITY PROGRAMS

School–community partnerships for the welfare of children have existed for years, and the role of child advocate is not a new one for the educator. What is new is that this partnership now includes efforts to work with abused and neglected children. Although implementing new programs and making changes requires effort, it is altogether fitting that the school and community together serve as advocates for these children.

Traditionally, advocates for special children's programs have been the parents of children in need. For abused and neglected children, someone other than the parent must assume this function. A school-community partnership is the logical choice.

Training and Staff Development Programs

Cooperative efforts between school and community can be an effective means of preventing child abuse and neglect. Training and staff development programs for all who work with children are an excellent starting point. These programs should stress identification, reporting, treatment, and prevention of child abuse and neglect; furnish information on professional roles and responsibilities in case management; and offer opportunities for free and frank discussion of mutual interests and problems among professionals in various disciplines.

Public Awareness Programs

Schools can also participate in public awareness programs through parent–teacher groups and other school–community organizations. By increasing public sensitivity to child abuse and neglect, schools can help to develop a cadre of concerned individuals who will press for needed resources, programs, and funding for child abuse and neglect prevention. This is a familiar route for educators. Many special programs for physically disabled, learning disabled, and other children with special needs began this way.

Use of School Facilities and Resources

Schools can offer concrete help to child abuse and neglect prevention efforts by making school facilities such as auditoriums or conference rooms available for meeting space for self-help groups like Parents Anonymous, school-sponsored public forums, and workshops on child abuse and neglect. School-owned films and books can be loaned to other agencies and organizations for training programs and meetings.

Joint school–community adult education programs can be offered. Such programs might discuss alternative means of discipline, adolescent problems, or early childhood growth and development. School buildings can be made available for day care, crisis care, and after-school care programs operated by social service agencies. School staff can serve as consultants, leaders, or facilitators of these programs. School newsletters can be used to announce them.

In short, the school offers a wealth of resources for child abuse and neglect prevention efforts. All that is needed is the school's willingness to offer them and the community's willingness to accept them. (See the Selected Bibliography for a listing of school-based prevention programs.)

CORPORAL PUNISHMENT IN SCHOOLS

Within the last few years States have enacted legislation prohibiting corporal punishment. To date, 20 States have such legislation. Even if the State allows corporal punishment, some cities have taken steps to abolish the practice within their school system. Chicago, for example, prohibits teachers from using this type of discipline. Although less than half of the States in the United States legally prohibit the use of corporal punishment, the trend is toward recognizing this form of discipline as being as abusive in the school as it is in the home.

Corporal punishment in schools has its origins in the beginning stages of formalized education. Until recently, "switching," "caning," and rapping knuckles were common practices among school masters/mistresses. The present trend toward banning physical punishment in schools has been based largely on the recognition that there are distinct disadvantages to the practice of corporal punishment.

One of the most salient arguments against corporal punishment is that not only can children be injured, but the practice perpetrates the cycle of child abuse. Children who are abused at home meet with more of the same at school. This may further isolate these children, leaving them with the feeling that there is nowhere to turn for help. Children abused at school as well as at home further incorporate the message that violence is the only way to ensure compliance with rules laid down by another individual or group of individuals.

The National Coalition to Abolish Corporal Punishment in Schools also points out that schools are the only institutions in the United States in which striking another person is allowed and even condoned in some cases.

Some teachers feel that corporal punishment is a valuable form of school discipline and that prohibiting the practice robs them of one tool to maintain control in the classroom. As one teacher put it, "It's not that I *use* physical punishment, but the threat that I might keeps the kids in line." Organizations such as the National Coalition to Abolish Corporal Punishment in Schools and the Ohio Center for More Effective School Discipline argue that there are more effective alternatives to keeping order in the classroom than striking or threatening to strike a child.

Initially teachers should be given more effective and creative preservice and in-service training to encourage them to explore methods of behavior management without the use of corporal punishment. Schools can establish clear rules and expectations of students with projected, nonviolent consequences for failure to comply with these rules. School schedules and seating arrangements can be used to minimize abrupt movement from activity to activity, allowing adequate teacher–student interaction and reducing competition and the ensuing frustration. These alternatives may make a school day proceed more smoothly, reducing teacher–student confrontations. More positive reinforcement for students also emphasizes the positive and prevents the assault to the child's self-esteem inherent in the use of physical punishment.

INDIVIDUAL ACTION

While the school as a whole is essential in preventing child abuse and neglect, it is the individual who is often in a position of stimulating these efforts.

Supporting as Well as Reporting

As mentioned in an earlier chapter, reporting child maltreatment is a necessary part of preventing it from continuing. But the attitude of the reporter can make all the difference in the progress the family is able to make once the report is made. The educator who is supportive and available to the family throughout the investigation, treatment, and rehabilitation process does a great deal not only to protect the child but to help the family maintain its dignity.

One concerned teacher explained carefully to a young Hispanic mother that she had made CPS aware of the abuse perpetrated on the daughter. Through her gentleness and concern, this teacher convinced the overwhelmed mother that the gesture was meant to help rather than hurt. The teacher offered her support and the mother came to her regularly to talk about the daughter's progress. Later it was learned that this mother was a recent immigrant, self-conscious about her English, and confused about child rearing practices. In the ensuing relationship, the teacher began to tutor the mother in English and help her understand exactly what was expected of her in the United States.

Not every situation has such a positive outcome, but some do and educators need to be aware of how important their support of parents can be.

Impact of the Educator on the Family

Educators must consider how their own actions affect family functioning. If behavior management is a point of contention between parent and child, an angry note from the school that the child has misbehaved in class may increase the risk of maltreatment for the child. It may be better to meet with the parent to decide together on techniques of behavior management that can be used at home and in school.

If grades are an issue, a conference to discuss academic performance may be a better choice than sending home a report card with a failing grade.

Whenever possible, the educator should stress the child's positive performance while suggesting ways to improve any negative aspects. Reiterating the child's faults may reinforce the child's negative self-image and confirm the parent's view of the child as a disappointment. In contrast, emphasizing the child's assets will increase the child's self-confidence and sense of success. Furthermore, it will indicate to the parent that the child is a worthwhile and capable person, someone to be proud of.

There is another part of the educator's influence that many people do not consider, the influence on a particular child. As one survivor of an abusive home put it:

> I don't think my fourth grade teacher, Mr. Evans, had any idea what an impact he had on my life. He was my father's opposite and taught me much about how men *could* be. He was consistent and concerned while my father was drunk or ignoring me. He praised me while my father criticized. He prized my mind and my accomplishments; my father cared only about abusing my body. I learned a great deal from that teacher about who I was and that I was an important person. I think I became a teacher myself to be like him, so that I could make a difference for some other child.

Again and again survivors will name a teacher or another member of the school family who made a real difference in their lives by being concerned and caring. For them the actions of these special teachers were the best possible type of prevention against repeating the negativity of their childhoods. Every teacher has the opportunity to make a difference for at least one abused or neglected child. It is a challenge worth meeting.

GLOSSARY OF TERMS

Adjudicatory Hearings - held by the juvenile and family court to determine whether a child has been maltreated or whether some other legal basis exists for the State to intervene to protect the child.

Bad Touch - a term used by primary prevention programs for children to describe hitting, punching, biting, erotic touch, and other acts that hurt children.

Child Protective Services (CPS) - the designated social service agency in most States to receive, investigate, and provide rehabilitation services to children and families with problems of child maltreatment. Frequently, this agency is located within larger public social services agencies, such as Departments of Social Services or Human Services.

Confidentiality - a provision in all State child abuse and neglect reporting laws that protects the privacy of children and families by not permitting information about the finding of the child maltreatment report to be released to other agencies without permission of the family. In some States, members of multidisciplinary teams may receive information without a release of information.

Confusing Touch - a term used by primary prevention programs for children to describe any type of contact that "does not feel right."

Dispositional Hearings - held by the juvenile and family court to determine the disposition of children after cases have been adjudicated such as whether placement of the child in out-of-home care is necessary and what services the children and family will need to reduce the risk of maltreatment and to address the effects of maltreatment.

Emergency Hearings - held by the juvenile and family court to determine the need for emergency protection of a child who may have been a victim of alleged maltreatment.

Good Faith - the standard used to determine if a reporter has a reason to "suspect" that child abuse or neglect has occurred. In general, good faith applies if any reasonable person, given the same information, would draw a conclusion that a child "may" have been abused or neglected.

Good Touch - a term used by primary prevention programs for children to describe hugs, encouraging pats, and other gestures that are not erotic.

Immunity - established in all child abuse laws to protect reporters from civil lawsuits and criminal prosecution resulting from filing a report of child abuse and neglect. This immunity is provided as long as the report is made in "good faith."

Juvenile and Family Courts - established in most States to resolve conflict and to otherwise intervene in the lives of families in a manner that promotes the best interests of children. These courts specialize in areas such as child maltreatment, domestic violence, juvenile delinquency, divorce, child custody, and child support.

Mandated Reporter - one who in his/her professional capacity is required by State law to report "suspected" cases of child maltreatment to the designated State agency. Some States clearly define that teachers, principals, nurses, and counselors are included, while other States designate all school personnel.

Multidisciplinary Team - established between agencies and professionals within the child protection system to mutually discuss cases of child abuse and neglect and to aid decisions at various stages of the child protection system case process. These teams may also be designated by different names, including child protection teams or case consultation teams.

Out-of-Home Care - child care, foster care, or residential care provided by persons, organizations, and institutions to children who are placed outside of their families usually under the jurisdiction of the juvenile and family court.

Parent/Caretaker - person responsible for the care of the child.

Penalty for Failure To Report - all State child abuse reporting laws delineate penalties for failing to report suspected instances of child abuse to the designated State agency. The penalty usually consists of a charge of a misdemeanor which can result in a fine or time in jail.

Public Law 94–142 - this special education law protects the right of every child to individualized education.

Reporting Laws - all States have child abuse and neglect reporting laws that mandate who must report "suspected" child abuse and neglect cases, which agencies are charged with investigating alleged instances, and the responsibility of State and local agencies in responding to these children and families.

Reporting Policies/Procedures - written referral procedures established by schools and other professional agencies that have a mandated responsibility to report suspected child abuse and neglect cases that delineate how to initiate a suspected child maltreatment report and to whom it should be made.

Substantiated - a finding made by CPS after investigating a child abuse or neglect report indicating that credible evidence exists to support that child maltreatment did occur. The criteria used to substantiate a report are different in each State. Another term used by some States is "founded" or "supported."

Survivors - a term used frequently to refer to adults who were abused or neglected as children.

Unsubstantiated - a finding made by CPS after investigating a child abuse or neglect report indicating that there was insufficient evidence to support that child maltreatment occurred. In some States, the term "unfounded" is used.

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3. D. Russell, *The Secret Trauma: Incest in the Lives of Girls and Women* (New York: Basic Books, 1986).
4. D. Finkelhor, *Child Sexual Abuse* (New York: Free Press, 1984).
5. C. C. Tower, *Secret Scars: A Guide for Survivors of Child Abuse* (New York: Viking/Penguin, 1988).
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AUDIOVISUALS AND PUBLIC AWARENESS MATERIALS

For information on audiovisuals or public awareness materials on these topics, please contact:

Clearinghouse on Child Abuse and Neglect Information
P.O. Box 1182
Washington, DC 20013
(703) 385-7565

OTHER RESOURCES

Association for Childhood Education International
11141 Georgia Avenue
Suite 200
Wheaton, MD 20902
(301) 942-2443

Childhelp, USA
P.O. Box 630
Hollywood, CA 90028
(800) 422-4453 (hotline)
(213) 465-4016

Clearinghouse on Child Abuse and Neglect Information
P.O. Box 1182
Washington, DC 20013
(703) 385-7565

ERIC Clearinghouse on Handicapped and Gifted Children
Council for Exceptional Children
1920 Association Drive
Reston, VA 22091–1589
(703) 620-3660

Erikson Institute for Advanced Study in Child Development
25 West Chicago Avenue
Chicago, IL 60610
(312) 280-7302

National Association for the Education of Young Children (NAEYC)
1834 Connecticut Avenue, NW
Washington, DC 20009
(202) 232-8777

National Center for the Study of Corporal Punishment and Alternatives in the Schools
Temple University
Philadelphia, PA 19122
(215) 787-6091

National Coalition to Abolish Corporal Punishment in Schools
750 Brookedge
Suite 107
Westerville, OH 43081
(614) 898-0170

National Committee for Prevention of Child Abuse
332 South Michigan Avenue
Suite 1600
Chicago, IL 60604–4357
(312) 663-3520

National Education Association (NEA)
Human and Civil Rights Unit
1201 16th Street, NW
Room 714
Washington, DC 20036
(202) 822-7711

National Information Center for Children and Youth With Handicaps
P.O. Box 1492
Washington, DC 20013
(703) 893-6061

Parents and Teachers Against Violence in Education
560 South Hartz Avenue
Suite 408
Danville, CA 94526
(415) 831-1661

Parents Anonymous
6733 South Sepulveda Boulevard
Suite 270
Los Angeles, CA 90045
(800) 421-0353
(800) 352-0386 in CA
(213) 410-9732

Parents United/Daughters and Sons United/Adults Molested as Children United
232 East Gish Road
San Jose, CA 95112
(408) 453-7616

APPENDIX A
OUTLINE OF A MODEL CHILD ABUSE AND NEGLECT POLICY FOR SCHOOLS

SAMPLE
CHILD ABUSE AND NEGLECT POLICY
Revised November 15, 1989*

Policy Component	**Narrative**
Purpose Family Law Article Title 5, Subtitle 7	To inform all employees and volunteers in the local school systems of the statutory requirement to report suspected child physical abuse, sexual abuse, or neglect, and to inform employees and volunteers of their immunity from civil liability or criminal penalty for reporting. To establish procedures to be used by all employees and volunteers of the local school system in making oral and written reports to the local department of social services/law enforcement agency for suspected cases of child physical abuse, sexual abuse, or neglect.
Who Must Report Family Law Article 5–704, 5–705	Maryland law requires that every health practitioner, educator, human services worker, or law enforcement officer who has reason to believe that a child has been subjected to physical abuse or sexual abuse shall immediately report to the local department of social services or appropriate law enforcement agency. The report, in both oral and written form, shall be made as soon as reasonably possible, but in any case the written report must be made within 48 hours of the suspicion of possible abuse to the local department of social services and the local State's attorney. Maryland law also requires that every health practitioner, educator, human services worker, or law enforcement officer who has reason to believe that a child has been a victim of neglect shall immediately report to the local department of social services. The report, in both oral and written form, shall be made as soon as reasonably possible, but in any case the written report must be made within 48 hours of the suspicion of possible neglect to the local department of social services. Further, any person other than a health practitioner, educator, human service worker, or law enforcement officer, including any other employee of the local school system and volunteers in the local school system who has reason to believe that a child has been subjected to physical abuse, sexual

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*All revisions are underlined.

abuse or neglect, shall immediately report to the local department of social services or the appropriate law enforcement agency as prescribed in the above paragraph.

WHERE SCHOOL PERSONNEL OR VOLUNTEERS ARE UNSURE WHETHER ABUSE OR NEGLECT HAS TAKEN PLACE, THE SITUATION SHOULD BE DISCUSSED WITH THE LOCAL DEPARTMENT OF SOCIAL SERVICES.

Sanctions for Failure to Report
Education Article
6-202
Education COMAR
13A.07.01.10

On the recommendation of the county superintendent a county board may suspend or dismiss a teacher, principal, supervisor, assistant superintendent, or other professional assistant for misconduct in office, including knowingly failing to report suspected child abuse in violation of Family Law Article, Title 5, Subtitle 7 (Child Abuse/Neglect), Annotated Code of Maryland.

Upon the recommendation of a local board of education or the Assistant State Superintendent in Certification and Accreditation when the individual is not employed by a local board of education in Maryland, any certificate issued under the State Board of Education's regulations may be suspended or revoked by the State Superintendent if the certificate holder is convicted of a crime involving child abuse or neglect or is dismissed by a local board for knowingly failing to report suspected child abuse in violation of the Family Law Article.

Definitions
Family Law Article
5–701 to 5–715
Education Article
6-107

A. Educator or Human Service Worker: Any professional employee of any correctional, public, parochial or private educational, health, juvenile service, social or social service agency, institution, or licensed facility. Educator or Human Service Worker includes: any teacher, counselor, social worker, caseworker, and any probation or parole officer. However, a child may not be considered to be abused solely because he is receiving nonmedical religious remedial care and treatment recognized by State law.

Family Law Article
14–101 et seq.

B. Child: Any person under the age of eighteen (18) years. Persons eighteen (18) years of age or older who are believed to lack the capacity to care for their daily needs ("vulnerable adults") are protected by the Adult Protective Services Program. A health practitioner, police officer, or human service worker who suspects that a vulnerable adult has been subject to abuse, neglect, self-neglect or exploitation is required to report such a situation orally and in writing to the adult protective services division of the local department of social services. Any other person may make a report. Any person who makes a report under these provisions is entitled to confidentiality and immunity from civil liability.

C. Abuse: (1) The physical injury of a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child or by any household or family member under circumstances that indicate that the child's health or welfare is significantly harmed or at risk of being significantly harmed or (2) sexual abuse of a child, whether physical injuries are sustained or not.

D. Sexual Abuse: Any act or acts involving sexual molestation or exploitation, including but not limited to incest, rape, or sexual offense in any degree, sodomy, or unnatural or perverted sexual practices, on a child by any family or household member or by any other person who has the permanent or temporary care or custody or responsibility for supervision of a minor child. Sexual molestation or exploitation includes, but is not limited to contact or conduct with a child for the purpose of sexual gratification, and may range from sexual advances, kissing, or fondling to sexual crime in any degree, rape, sodomy, prostitution, or allowing, permitting, encouraging, or engaging in the obscene or pornographic display, photographing, filming or depiction of a child as prohibited by law.

E. Neglect: Child neglect means the leaving of a child unattended or other failure to give proper care and attention to a child by the child's parents, guardian, or custodian under circumstances that indicate that the child's health or welfare is significantly harmed or placed at risk of significant harm. However, a child may not be considered to be neglected solely because the child is receiving nonmedical religious remedial care and treatment recognized by State law.

Examples of Child Neglect
DHR–SSA Child
Protective Services
Policy Manual
.01.04.04

A neglected child is one who is:

- left unattended or inadequately supervised for long periods of time.
- showing signs of failure to thrive, or psycho-social dwarfism that has not been explained by a medical condition. There may be other evidence that the child is receiving insufficient food.
- receiving inadequate medical or dental treatment.
- significantly harmed or at risk of harm as a result of being denied an adequate education due to parental action or inaction.
- wearing inadequate or weather-inappropriate clothing.
- significantly harmed due to a lack of minimal health care and/or fire safety.
- ignored or badgered by the caretaker.
- forced to engage in criminal behavior at the direction of the caretaker.

Immunity
Family Law Article

Any person who makes or participates in the making of a good-faith report of abuse or neglect or participates in the investigation or in a judicial proceeding resulting therefrom shall in so doing be immune from any civil liability or criminal penalty that might otherwise be incurred or imposed as a result thereof.

Possible Abuser

Family Law Article
5–701

Any parent, guardian, adoptive parent or other person who has the permanent or temporary care or custody, or who has the permanent or temporary care or custody or responsibility for the supervision of a child or any household or family member, may be considered an abuser under the statute. Educators and other school employees having temporary care or custody or responsibility for the supervision of a child during the school day may also be deemed abusers under the statute and, when suspected of child physical or sexual abuse or neglect, must be reported immediately to the local social services agency or the appropriate law enforcement agency, orally and in writing as prescribed by law, by the person who has reason to believe that abuse or neglect has occurred.

Reporting Procedures

(Oral Report)

Family Law Article
5–704, 5–705

Any employee of the local school system or volunteer in the local school system who suspects a case of child physical or sexual abuse has occurred shall make an oral report to the local department of social services or to the appropriate law enforcement agency. In a case of suspected neglect, the oral report should only be made to the local department of social services. The responsibility of an employee or volunteer of the local school system to report suspected cases of child abuse or neglect is mandatory. The oral report must be made as soon as possible, not-withstanding any provision of law, including any law on privileged communications. In addition to making an oral report, the school employee or volunteer shall also inform the local school principal that a case of suspected child abuse and/or neglect has been reported to the department of social services or law enforcement agency. It is the obligation of the principal to insure that cases of suspected child abuse or neglect brought to his/her attention by any school employee or volunteer are duly reported by the employee or volunteer if this has not already been done. (See List of Contacts Form, Appendix A.)

(Written Report)

Family Law Article
5–704, 5–705

The person making the oral report to the department of social services or appropriate law enforcement agency is also responsible for submitting a written report (see Suspected Child Abuse/Neglect Form, Appendix A). The written report must follow the oral report and be made within forty-eight (48) hours of the contact which disclosed the existence of possible abuse and/or neglect.

Contents of Written Report

Family Law Article
5–704, 5–705

An oral or written report shall contain as much of the following information as the person making the report is able to furnish in suspected cases of child abuse and/or neglect:

Abuse/Neglect Report Contents:

1. The name, age, and home address of the child;
2. The name and home address of the child's parent or other person who is responsible for the child's care;

3. The whereabouts of the child;

4. The nature and extent of the abuse/neglect of the child, including any evidence or information available to the reporter concerning previous injury possibly resulting from abuse or neglect; and

5. Any other information that would help to determine the cause of the suspected abuse or neglect; and the identity of any individual responsible for the abuse.

Report Distribution
Family Law Article
5–704

Copies of the written report for abuse or neglect shall be sent to the local department of social services. Copies of the written report for abuse also shall be sent to the local State's attorney office. Additional distribution shall be determined by the local school system but shall be limited to persons who have a true need-to-know and shall not violate the confidentiality requirements discussed below. The local school system shall not maintain copies of written child abuse or neglect reports.

Confidentiality
Family Law Article
5–707
Article 88A
Section 6(b)
DHR COMAR
07.02.07.05E

Department of Human Resources (DHR) regulations require that the identity of the person reporting a case of suspected child abuse and/or neglect shall not be revealed. Protective services staff must protect the identity of the reporter unless required by court order to reveal the source. Educators are encouraged to share information about the reported family, but protective services staff may not identify any reporting source to a reported family unless the educator has given written permission to protective services to reveal his/her identity.

Family Educational
Rights and Privacy
Act of 1974 (FERPA)

All records and reports concerning protective services investigations of child abuse and/or neglect and their outcomes are protected by the confidentiality statute Article 88A, Section 6(b). Unauthorized disclosure of such records is a criminal offense subject to a fine of up to $500.00 or imprisonment for up to 90 days, or both. Under this statute, information contained in reports or records concerning child abuse and/or neglect may be disclosed only:

1. Under a court order;

2. To personnel of local or State departments of social services, law enforcement personnel, and members of multidisciplinary case consultation teams who are investigating a report of known or suspected child abuse or neglect or who are providing services to a child or family that is the subject of the report;

3. To local or State officials responsible for the administration of the child protective service as necessary to carry out their official functions;

4. To a person who is the alleged child abuser, or to the person who is suspected of child neglect if that person is responsible for the child's

welfare and provisions are made for the protection of the identity of the reporter or any other person whose life or safety is likely to be endangered by disclosing the information;

5. To a licensed practitioner who, or an agency, institution, or program which is providing treatment or care to a child who is the subject of a report of child abuse or neglect; or

6. To a parent or other person who has permanent or temporary care and custody of a child, if provisions are made for the protection of the identity of the reporter or any other person whose life or safety is likely to be endangered by disclosing the information.

Investigative Procedure

Validation of suspected child abuse is the responsibility of the department of social services, assisted by the police. School personnel shall not attempt to conduct any internal investigation or an independent review of the facts.

School Procedure

A school employee may briefly question a child to determine if there is reason to believe that the child's injuries resulted from physical or sexual abuse, or by the child's caretaker and/or household member, (e.g., What happened to you? How did this happen?). However, in no case should the child be subjected to undue pressure in order to validate the suspicion of abuse and/or neglect. Any doubt about reporting a suspected situation is to be resolved in favor of protecting the child and the report made immediately.

Third Party Presence During Investigative Questioning

Education
COMAR
13A.08.01.08

In the event that a child is questioned by the protective services worker and/or police during the school day on school premises in an investigation of either child abuse and/or child neglect, whether the child is the alleged victim or a nonvictim witness, "the superintendent or the superintendent's designated representative shall determine after consultation with the individual from the local department of social services or the police officer whether a school official shall be present during the questioning of a pupil." The school official should be selected on a case basis for the purpose of providing support and comfort to the student who will be questioned. The regulations express a preference for having a third party present during questioning except in circumstances where the superintendent or the superintendent's designee, in consultation with the protective service worker determines that a third party should not be present during the interview. This may occur, for example, where the presence of a third party may inhibit the child's responses.

Article 88A
Section 6(b)
DHR COMAR
07.02.07.05D

DHR COMAR
07.02.07.17

The local department of social services shall notify school reporting sources of the receipt of the report. School personnel may request the local department of social services to call a multidisciplinary team meeting to share information and concerns to the extent permitted by the confidentiality statute and to coordinate planning for services to the child. Appropriate school personnel are expected to participate in the team meetings in accordance with the procedure established between the local department of social services and local school system.

Parental Notification

Education
COMAR
13A.08.01.08

Although the regulations express a preference for parental notification, the school principal or the principal's designee is not required to notify parents or guardians of investigations on school premises involving suspected child abuse or neglect. The principal, in consultation with the protective service caseworker, may decide whether the parents should be informed of the investigative questioning. It may be determined, for example, that disclosure to the parents would create a threat to the well-being of the child (COMAR 13A.08.01.04B).

Emergency Medical Treatment;
Access to Medical Records
Family Law Article
5–709, 5–711, 5–712

In the event that a child is in need of emergency medical treatment as a result of suspected abuse or neglect, the school principal, in collaboration with the school nurse or other health professional when available, shall arrange for the child to be taken immediately to the nearest hospital. The protective services worker or law enforcement officer should be consulted before taking the child to the hospital when feasible; in cases where the emergency conditions prevent such consultation, the protective services worker should be notified as soon thereafter as possible. In all other instances, it is the role of the protective services worker and/or law enforcement officer to seek medical treatment for the child.

Information contained in school health records needed during the existence of a health and safety emergency may be disclosed without parental consent and without violating the provisions of Federal Educational Rights and Privacy Act (FERPA) of 1974.

Educators are required to provide copies of a child's medical/health records information, upon request to the local department of social services as needed as part of child abuse/neglect investigation or to provide appropriate services in the best interest of a child who is the subject of a report of child abuse or neglect.

Removal of Child from School Premises

The child may be removed from the school premises by a protective services worker or police officer only if:

1. Local social services has guardianship of the child;

Family Law Article
5–709, 5–710, 5–712
DHR-SSA Child
Protective Services
Policy Manual
.01.03.04, and
Education COMAR
13A.08.01.08E

2. Local social services has a shelter order or a court order to remove the child. (Verification of shelter care order by school personnel can be made by calling the local juvenile services agency intake officer.) A joint decision by the principal and the protective services worker should be made regarding who will notify the parents of the action to remove the child from school. Usually this notification will occur as part of the social worker's initial family visit, or as part of the contact made to arrange the initial family interview. However, in the absence of a joint decision the superintendent or the superintendent's desig-

nated representative shall insure that prompt notification of removal from school is made to the pupil's parent or guardian.

Parental Awareness

Parents should be advised of the legal responsibility of school staff to report suspected cases of abuse and/or neglect. In order to facilitate positive interactions between the school and home/community, it is often helpful to inform parents of this before a problem arises. A letter (sample given in Appendix A)should be sent to all parents at the beginning of the school year.

Information Dissemination

Information on child abuse and neglect should be disseminated as follows:

1. Provide annual training sessions to all school employees on child abuse/neglect policies and procedures, symptoms, programs and services, and prevention curriculum.

2. Implement, as a part of the curriculum, an awareness and prevention education program for all students.

3. Initiate a public awareness program for students, parents, and the community at large. Information may be disseminated in school newsletters or with report cards. Presentations may be conducted at PTA meetings and at meetings of other community organizations.

List of Contacts for Reporting Suspected Cases of Child Abuse or Neglect

Name of Local Education Agency

Name of Local School

Local School Address and Telephone Number

Date Form Completed

1. **Department of Social Services**

Name

Address

Contact Person(s)

Phone number for oral reports

Phone number for verification of shelter order

2. **Local Police Department**

Name

Address

Contact Person(s)

Phone number for oral reports

3. **Local State Attorney's Office**

Name

Address

Contact Person(s)

Phone number for oral reports

SAMPLE
CHILD ABUSE/NEGLECT FORM

REPORT OF SUSPECTED CHILD ABUSE/SUSPECTED NEGLECT

To: Local Department of Social Services

From: ____

School Name Number - Address Tel#

____

Suspicion of Neglect
Suspicion of Abuse

* * * * * * * * * * * * * * * * * *

Name of Child ____
Address (Where child may be seen) ____
Age or Birthdate ____
Name of Person(s) Responsible for Child's Care ____
Address ____
Relationship ____
Person(s) Suspected of Abuse or Neglect ____
Address ____
Relationship to Child ____

The nature and extent of the current injury, neglect, or sexual abuse to the child in question; circumstances leading to the suspicion that the child is a victim of abuse or neglect:

Information concerning previous injury, sexual abuse or neglect experienced by this child or other children in this family situation, including previous action taken, if any:

____ ____________________

Signature and Title of Person Making Report Date

Distribution: Local Department of Social Services (suspected abuse or neglect)
Local State Attorney's Office (suspected abuse or neglect)

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SAMPLE
LETTER TO PARENTS

Name of School

Address - Telephone Number

Date

Re: Child Abuse and Neglect Policies
and Procedures

Dear Parents:

The local public school system is committed to providing the best possible and most appropriate learning experiences for all children. Occasionally, there are factors in a student's appearance and behavior that lead to suspicions of child abuse or neglect. Maryland law requires that all educators and other school employees, including volunteers, report *suspected* abuse or neglect to the proper authorities in order that children may be protected from harm and the family may be helped.

School system policy supports Maryland laws in this regard and requires that all school staff report suspected abuse and neglect to the Department of Social Services, Protective Services Division, and the local police department. At all times, the intent is to protect children from harm by providing services to maintain and strengthen the child's own family.

Should you have questions regarding the information in this letter, feel free to discuss them with appropriate staff in your child's (children's) school(s).

Please be assured of our continued interest and concern for the education and welfare of students in the local public school system.

Sincerely,

Principal's Signature

APPENDIX B
CORPORAL PUNISHMENT FACTSHEET

National Coalition to Abolish Corporal Punishment in Schools
c/o National Committee for Prevention of Child Abuse
332 South Michigan Avenue
Suite 1600
Chicago, IL 60604–4357
(312) 663-3520

COUNTRIES: The following countries do not allow teachers to hit schoolchildren:

1783	Poland	1949	China	dates unknown:
1820	Netherlands	1950	Portugal	Iceland
1845	Luxembourg	1958	Sweden	Japan
1860	Italy	1967	Spain	Ecuador
1867	Belgium	1967	Denmark	Jordan
1870	Austria	1967	Cyprus	Qatar
1881	France	1970	Germany	Mauritius
1890	Finland	1970	Switzerland	Israel
1917	USSR	1982	Ireland	Philippines
1923	Turkey	1986	United Kingdom (includes England, Scotland, Wales, and Northern Ireland)	Communist bloc countries
1936	Norway			
1948	Romania			

Countries still permitting school corporal punishment include the United States, Iran, Uganda, Canada (partly), Australia (banned in 80% of schools), and New Zealand.

STATES: The following States have banned corporal punishment; movements to do so are underway in many more:

New Jersey
Rhode Island
New Hampshire
Massachusetts
Hawaii
California
Vermont
New York
Maine
Oregon
Nebraska
Wisconsin
Michigan
North Dakota
Virginia
Alaska
Minnesota
Iowa
Connecticut
South Dakota

CITIES: These major cities, in States that allow corporal punishment, have abolished it:

Albuquerque
Anchorage
Atlanta
Chicago
Cincinnati
Cleveland
Little Rock
New Orleans
Ottawa
Spokane
St. Louis
Topeka

Baltimore
Boulder
Columbus, OH
Charleston
Dayton
Fort Wayne
Huntsville
Laramie
Philadelphia
Pittsburgh
San Jose
Seattle
Urbana
Walla Walla
Washington, DC
Wichita
... and many more

MAJOR ORGANIZATIONS: The following favor abolition of school corporal punishment:

American Academy of Pediatrics
American Bar Association
American Civil Liberties Union
American Humanist Association
American Medical Association
American Orthopsychiatric Association
American Psychological Association
Association of Junior Leagues
Child Welfare League of America
National Association of School Psychologists
National Association of Social Workers
National Committee for Citizens in Education
National Committee for Prevention of Child Abuse
National Education Association
National Mental Health Association
National PTA

TOP HITTING STATES:**

The 10 States that have the highest percentage of children paddled every year:

Arkansas	13.70%
Alabama	10.31
Mississippi	10.30
Tennessee	8.76
Oklahoma	7.94
Georgia	7.81
Texas	7.79
Florida	7.05
South Carolina	5.56
Louisiana	4.92
U.S. Average	2.67

The 10 States that paddle the most students per year:

Texas	260,386
Florida	111,194
Georgia	93,006
Alabama	77,949
Tennessee	65,308
Arkansas	64,444
Mississippi	55,673
Oklahoma	51,306
Ohio	43,626
Louisiana	38,730

**From the 1986 Elementary and Secondary School Civil Rights Survey, U.S. Department of Education.

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